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NUMBER NINE.

A DRAMA
IN NINE ACTS.

——
DRAMATIZED BY

S. R. WHEELER.

74

WITH CASTS, COSTUMES, AND ALL STAGE
BUSINESS.

17040 191

PUBLISHED BY
THE AUTHOR, S. R. WHEELER,
DEXTER, MICHIGAN.

1885.

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CAST OF CHARACTERS.

ROBERT BELCHER,Proprietor of Seven Oaks Mills.
PAUL BENEDICT,A Mechanical Engineer.
JAMES BALFOUR,A New York City Lawyer.
JARED CAVENDISH,A New York City Lawyer.
SAM YATES,A Seven Oaks Lawyer.
SOLON STORY,Judge of the Court.
THOS. C. SPENCER,Clerk of the Court.
CHAS. BARHYDT,Supt. of the Insane Asylum.
ALBERT TIMMS,Prof. of Microscopy.
JIM FENTON,A Backwoodsman.
MIKE CONLIN,An Irishman.
SOLOMON SNOW,A Clergyman.
DR. RADCLIFFE, Medical Attendant of Poor-house.
THOS. BUFFUM,Supt. of Poor-house.
CORNELIUS PHIPPS,Belcher's Coachman.
HARRY BENEDICT,A Young Lad—Paul Benedict's Son.
MRS. HELEN DILLINGHAM,A New York Lady.
MISS KEZIAH BUTTERWORTH,A Seven Oaks Seamstress.
MRS. ROBERT BELCHER, Wife of Robert Belcher.
MRS. SOLOMON SNOW, Wife of Solomon Snow.
Servants, Attendants, etc. [3]

CO T U M E S.

ROBERT BELCHER : Elegantly dressed—not changed.

JAMES BALFOUR : Business Suit—not changed.

JARED CAVENDISH : Stylish “ “ “

MIKE CONLIN : Homespun and coarse—not changed.

PAUL BENEDICT : Act 3 to Act 7, very shabby and ragged.

“ “ Act 7 to the end, well dressed.

SAM YATES : Act 6, Scene 2, very shabby and old hat.

“ “ “ “ “ 3, well dressed.

JIM FENTON : Act 3 to Act 9, coarse, patched clothes.

“ “ “ 9 to the end, good homespun clothes.

HARRY BENEDICT : Act 3, very poorly and thinly dressed.

“ “ “ 9, well dressed.

MRS. DILLINGHAM : Elegant silk dress and veil—not changed.

MISS BUTTERWORTH : Common Seamstress' dress—not changed.

All others well dressed and not changed.

P R O P E R T I E S.

Full length mirror, table containing papers and writing material, stand, chairs, and a judge's bench, and a few lengths of picket railing to inclose paupers.

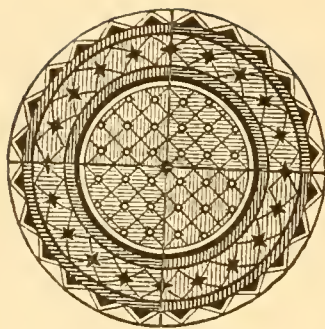
SYNOPSIS.

Number Nine is founded on incidents of every-day life, and is intended to illustrate vividly the contrasts of human character. ROBERT BELCHER represents, in a high degree, the propensities of an extreme villain. His victim, PAUL BENEDICT, is his antipode in character in all respects. He is a great inventor, but too generous and unsuspicious to protect himself from the crafty. JAMES BALFOUR, a lawyer of the strictest integrity, and a noble specimen of humanity, always advocating the cause of justice. JARED CAVENDISH, another lawyer, who does not regard right any more than wrong, unless there was more money in it. KEZIAH BUTTERWORTH, a seamstress, is a very strong-minded woman, and very persistent for the right ; and woe be to any who oppose her efforts in her vindication of justice, whether in the behalf of herself or others. MRS. DILLINGHAM is a generous, kind-hearted lady, but coquettish towards gentlemen for whom she has no respect.

This drama develops, in a high degree, the adage that truth is mighty and will prevail.

TIME IN REPRESENTATION, THREE HOURS.

[5]



ACT I.

SCENE I. *Robert Belcher's Library at Seven Oaks, a large, full length mirror, stand, table, and two chairs. Robert Belcher, elegantly dressed, walking the room and rubbing his hands, stops suddenly before the mirror, and addresses his image reflected from it.*

BELCHER. "Robert Belcher, you're a brick! Yes, sir, you are a brick. You, Robert Belcher, sir, are an almighty smart man. You've outwitted the whole of 'em. Look at me, sir. Dare you tell me, sir, that I am not master of the situation? Ah! you hesitate; it is well! They all come to me, every man of 'em. It is 'Mr. Belcher, will you be so good?' and 'Mr. Belcher, I hope you are very well,' and 'Mr. Belcher, I want you to do better by me.' Ha! ha! ha! ha! My name is Norval. It isn't? Say that again, and I'll throttle you! Yes, sir, I'll shake your rascally head off your shoulders! Down, down in the dust, and beg my pardon! It is well; go! Get you gone, sir, and remember not to beard the lion in his den! (*Lights a cigar and sits down, but growing drowsy, lays it on the stand and leans back in his chair for a nap. A rap at the door.*) Come in." (*A scared-looking maid-servant peers in at 2 L. E.*)

MAID. "Please, sir."

BELCHER. (*In a voice so sharp that the girl cringed.*) "Well?"

MAID. "Please, sir, Miss Butterworth is at the door and would like to see you."

BELCHER. (*To the servant.*) "Come inside. (*The girl enters, and leans against the door. Belcher addresses her in a low tone.*) Go and tell Mrs. Belcher that I am busy, and that she must choke her off. I can't see her to-night. I can't see her." (*Exit servant 2 L. E.*)

Enter Mrs. Belcher 2 L. E.

MRS. BELCHER. "I cannot do anything with Miss Butterworth. She is determined to see you before she leaves the house."

BELCHER. "Bring her in. I'll make short work with her." (*Exit Mrs. Belcher 2 L. E. Belcher rushes to the mir-*

ror, brushes his hair fiercely, and then sits down to a pile of papers on the table, and writes hurriedly.)

Enter Miss Butterworth 2 L. E.

BELCHER. "Ah! Keziah."

MISS B. (*Speaking quickly and fiercely.*) "My name is Butterworth, and it's got a handle to it."

BELCHER. "Well, but, Keziah, you know we used—"

MISS B. (*With increased energy.*) "My name is Butterworth, and it's got a handle to it."

BELCHER. "Well, Miss Butterworth, happy to see you. Hope you are well—take a chair."

MISS B. "Humph!" (*Drops on the edge of a chair, her body inclined forward, and a derisive smile on her countenance, and with the demeanor of the utmost fearlessness.*)

BELCHER. (*After waiting a few moments for Miss Butterworth to speak.*) "Hem!—haw!—ah!—to what am I indebted for this visit, Miss—ah!—Butterworth?"

MISS B. (*Sharply.*) "I'm thinking. (*A short pause.*) I'm thinking of a man, and he was a man, every inch of him, if there ever was one, and a gentleman, too, if I know what a gentleman is, who came to this town ten years ago, from nobody knows where, with a wife that was an angel, if there is any such thing as an angel. (*Speaking more leisurely after a short pause.*) He knew more than any man in Seven Oaks, but he didn't know how to take care of himself. He was the most ingenious creature God ever made, I do think, and his name was Paul Benedict. He invented something, and then he took it to Robert Belcher, and he put it into his mill, and he paid him just as little for it as he could. And he invented something more, and that went into the mill; and then something more, and the patent was used by Mr. Belcher for a song, and the man grew poorer and poorer, while Mr. Belcher grew richer and richer all the time. And then he invented a gun, and then his little wife died, and what with the expenses of doctors and funeral and such things, and the money it took to get his patent, which I begged him for conscience sake to keep out of Robert Belcher's hands, he almost starved with his little boy, and had to go to Robert Belcher for money."

BELCHER. "And got it."

MISS B. "How much, now? A hundred little dollars for what was worth a hundred thousand, unless everybody lies. The whole went in a day, and then he went crazy."

BELCHER. "Well, you know I sent him to the asylum."

MISS B. "I know you did, yes, I know you did, and you

tried to get him well enough to sign a paper, which the doctor never would let him sign, and which would n't have been worth a straw if he *had* signed it. The-idea-of-getting-a-crazy-man-to-sign-a-paper!"

BELCHER. "Well, but I wanted some security for the money I had advanced."

MISS B. "No, you wanted legal possession of a property that would have made him rich, that's what it was, and you didn't get it, and you never will get it. He can't be cured, and he's been sent back, and is up at Tom Buffum's in the poor-house now, and I've seen him to-day."

BELCHER. "Is poor Benedict comfortable?"

MISS B. "Comfortable! Yes, in the way that hogs are."

BELCHER. "Hogs are very comfortable, I believe, in a general way."

MISS B. (*Tears springing to her eyes.*) "Bob Belcher, you're a brute. You know you are a brute. He is in a little cell no-larger-than-a-pig-pen, and no furniture, and no bed. He sleeps on the straw, in the straw, and under the straw, and his victuals are poked at him as though he were a beast. His clothes are in rags, and he mutters about his rifle and other inventions. His little boy is kept in the house, and is treated like a dog, and he knows his father's condition, and goes and looks at him, and the little innocent fellow calls to him, and cries about him whenever he dares, and you sit here, in your great house, with your fine furniture and nice clothes, and don't start to your feet when I tell you this. I tell you, God will damn everybody who is responsible for this, or there is no God."

BELCHER. "Don't you think I am a good-natured man to sit here quietly and hear myself abused?"

MISS B. "Well, what are you going to do about it? No, you're a *bad*-natured man—a hard-hearted wretch. What in God's name has Paul Benedict done that he should be treated in this way? I wish you could spend one night in his quarters."

BELCHER. "Thank you. I prefer my present room."

MISS B. "Yes, you look around on your present quarters, as you call 'em, and think you'll always have 'em. But you won't, mark my words, you won't. Sometime you'll over-reach yourself and cheat yourself out of 'em. See if you don't."

BELCHER. "It takes a smart man to cheat himself, Miss Butterworth." (*Rubbing his hands.*)

MISS B. "There's just where you are mistaken. It takes a fool."

BELCHER. (*Laughing, and then in a patronizing way.*) "Miss Butterworth, I've given you considerable time, and perhaps you'll be kind enough to state your business. I'm a practical man, and I really do n't see anything that particularly concerns me in all this talk. Of course I am sorry for Benedict, and all the rest of 'em, but Seven Oaks isn't a very rich town, and it cannot afford to board its paupers at a hotel, or to give them many luxuries."

MISS B. (*After a few moment's meditation.*) "Mr. Belcher, I'm a woman."

BELCHER. "I know it, Keziah."

MISS B. "And my name is Butterworth."

BELCHER. "I know it."

MISS B. "You do? well, then, here's what I came to say to you: The town-meeting comes to-morrow, and the town's poor are to be sold at auction, and to pass into Tom Buffum's hands again unless you prevent it. I can't make a speech, and I can't vote. I never wanted to until now. You can do both, and if you do n't reform this business, and set Tom Buffum at doing something else, and treat God's poor more like human beings, I shall get out of Seven Oaks before it sinks; for sink it will if there is any hole big enough to hold it."

BELCHER. (*Deliberately.*) "Well, I'll think of it."

MISS B. "Tell me you'll do it."

BELCHER. "I'm not used to doing things in a hurry. Mr. Buffum is a friend of mine, and I've always regarded him as a very good man for the place. Of course, if there is anything wrong, it ought to be righted. But I think you've exaggerated."

MISS B. "No. You do n't mean to do anything. I see it. Good-night." (*Exit. 2 L. E.*)

SCENE II. *Rev. Solomon Snow's parlor. Mr. Snow reading. Mrs. Snow and three daughters engaged with needle-work.*

Enter Miss Butterworth. 3 L. E.

MISS B. (*Aside.*) "Here is Rev. Mr. Snow. Who knows but he can be spurred up to do something. (*Takes a chair and addresses Mr. Snow.*) I believe that a crisis is approaching. In imitation of the language of the great Jefferson, I say that I tremble for Seven Oaks when I reflect that God is just. If the inhabitants of Sodom could not escape, where will Bob Belcher and Tom Buffum appear? And the events of to-morrow will develop whether or not

there is a predominance of humanity in this town. Paul Benedict is at the poor-house in a pen but little larger than a dog kennel, with nothing but filthy straw on which to sleep, and his food, in quantity and quality, in perfect keeping with his other conditions. I am at a loss to know why certain things are suffered to exist. The ways of Providence are past finding out. Why such men as Robert Belcher are permitted to live, is a mystery. Mr. Snow, I appeal to you in behalf of suffering humanity."

REV. SNOW. (*Making a bridge in front of him, with his hands.*) "Cases of this kind are to be treated with great prudence. We are obliged to take things as they *air*. Personally (*with rising inflection*) I should rejoice to see the insane poor, clothed, and in their right mind."

MISS B. (*Impatiently.*) "Let us clothe 'em, then, anyway. And as for their being restored to their right minds, were that possible, they would be far superior to those who have them in charge."

REV. SNOW. "Personally, Miss Butterworth, excuse me—I should rejoice to see them clothed and in their right minds, but the age of miracles is past. We have to deal with facts of to-day,—with things as they *air*,—and there are certain prudential considerations which are to be taken into account. It will never do, in a town like ours, to make pauperism attractive—to make our pauper establishments comfortable asylums for idleness. It must, in some way, be made to seem a hardship to go to the poor-house."

MISS B. (*Bitterly.*) "Well, Seven Oaks has taken care of that, with a vengeance."

MR. SNOW. "Excuse me, Miss Butterworth, let me repeat, that it must be made to *seem* a hardship to go to the poor-house. Let us suppose, then, that we have accomplished this very desirable result. So far, so good. But here we come in contact with another class of facts; paupers are more healthy than any other class of persons in the community. Their treatment, though coarse and shabby, renders them longer-lived than those who are indulged in luxuries."

"Miss B. (*Spitefully.*) "Suppose we inquire of our paupers, and find out whether they would not rather be treated better and die earlier."

MR SNOW. "Paupers are hardly in a position to be consulted in that way, and the alternative is one which, considering their moral condition, they would have no right to entertain."

MISS B. "All you say is well enough, I suppose, but I don't stop to reason about it, and I don't want to. Here is a lot of human beings that are treated like brutes—sold every year to the lowest bidder, to be kept. They go hungry and naked and cold. They are in the hands of a man that has no more blood in his heart than there is in a turnip, and we pretend to be Christians, and go to church, and coddle ourselves with comforts, and pay no more attention to them than we should if their souls had gone where their money went. I tell you it's a sin and a shame. I feel it. And there is a gentleman among 'em, and his little boy, and they must be taken out of that place, or treated better in it. I've made up my mind to that, and if the men of Seven Oaks don't straighten matters on that horrible hill, then they're just no men at all."

REV. SNOW. (*Smiling Calmly.*) "Oh! I know women; they're amiable, impulsive, but impracticable."

MISS B. (*Sharply.*) "Have you ever been there?"

REV. SNOW. "Yes, I've been there."

MRS. SNOW. (*Breaking in suddenly.*) "And conscience forbid that he should go there again, and bring home what he brought home that time. It took me a long time to get them out of the house."

REV. SNOW. "Mrs. Snow, my dear! You forget that we have a stranger present."

MRS. SNOW. "Well, I don't forget *those* strangers, anyway. (*The Misses Snow looked at one another and tittered, but were promptly solemnized by their father.*) I think Miss Butterworth is right. It's a burning shame, and you ought to go to the meeting to-morrow and put it down."

REV. SNOW. "Easily said, my dear; but you forget that Mr. Belcher is Buffum's friend, and that it is impossible to carry any measure against him in Seven Oaks. I grant that it ought not to be so. I wish it were otherwise, but we must take things as they *air*."

MRS. SNOW. (*Spitefully.*) "I wish Robert Belcher was hanged."

MISS B. "Amen! and my name is Butterworth."

MRS. SNOW. (*Emphatically.*) "And drawn and quartered."

MISS B. (*Also emphatically.*) "Amen, again."

REV. SNOW. "Mrs. Snow! my dear! You forget that you are a Christian pastor's wife, and that there is a stranger present."

MRS. SNOW. "No, that is just what I *don't* forget. I see

a Christian pastor afraid of a man of the world who cares no more about Christianity than he does about a pair of old shoes, and who patronizes it for the sake of shutting its mouth against him. It makes me angry, and makes me wish I were a man; and you ought to go to that meeting to-morrow as a Christian pastor, and put down this shame and wickedness. You have influence if you will use it."

REV. SNOW. "You women are so hasty, so hasty. I had not said I would not go. Indeed, I had pretty much made up my mind to do so. It may be that something can be done, and it will be a satisfaction to me if I can work a reform."

MISS B. (*Eagerly.*) "And you will go to the meeting? and you will speak?"

REV. SNOW. (*Looking straight into Miss Butterworth's eyes and smiling.*) "Yes."

MISS B. "The Lord add his blessing, and to his name be all praise! Good night." (*Rising and making for the door.*)

MRS. SNOW. (*Springing up and catching Miss Butterworth by the arm.*) "Dear, don't you think you ought to put on something more? It's very chilly to-night."

MISS B. "Not a rag. I'm hot. I believe I should roast if I had on a feather more."

MRS. SNOW. "Wouldn't you like Mr. Snow to go with you? He can go just as well as not."

MISS B. "No, *no*, NO. I can get along better without him, and I don't mean to give him a chance to take back what he has said. (*Aside.*) Oh! what a broken reed he is! But I hope Mrs. Snow will be something to him,—or starch him, or something,—to make him stand straight for once." (*Exit 3 L. E.*)

ACT II.

SCENE I. *Same as Scene I. in Act I. Belcher again addressing his image in the mirror.*

BELCHER. "Are you Robert Belcher, Esq., of Seven Oaks? Are you the person who has been insulted by a woman? Look at me, sir! Turn not away! Have you any constitutional objections to telling me how you feel? Are you, sir, the proprietor of this house? Are you the owner of yonder mill? Are you the distinguished person

who carries Seven Oaks in his pocket? How are the mighty fallen! And you, sir, who have been insulted by a tailoress, can stand here and look me in the face, and still pretend to be a man. You are a scoundrel, sir,—a low, mean-spirited scoundrel, sir. You are nicely dressed, but you are a puppy. Dare to tell me you are not, and I will grind you under my foot as I would grind a worm. Don't give me a word—not a word! I am not in a condition to bear it! (*Having vented his indignation he soon became calm, and proceeded.*) Benedict at the poor-house, hopelessly insane! Tell me now, and, mark you, no lies here! Who developed his inventions? Whose money was risked? What did it cost Benedict?—Nothing. What did it cost Robert Belcher?—More thousands than Benedict ever dreamed of. Have you done your duty, Robert Belcher?—Ay, ay, sir. I believe you. Did you turn his head?—No, sir. I believe you; it is well. I have spent money for him—first and last, a great deal of money for him, and any man or woman who disputes me, is a liar—a base, malignant liar. Who is still master of the situation? Whose name is Norval? Whose are these Grampian Hills? Who intends to go to the town-meeting to-morrow, and have things fixed about as he wants them? Who will make Keziah Butterworth weep and howl with anguish? Let Robert Belcher alone! Alone! Far in azure depths of space (*Here he extended both arms heavenward, and regarded his image admiringly.*) far, far away! Well, you're a pretty good looking man after all, and I'll let you off this time; but don't let me catch you playing baby to another woman! I think you'll be able to take care of yourself. (*Nodding slowly.*) By by. Good night. (*Retires slowly, takes a chair and resumes his cigar. He picks up a paper and reads a warrant for a public meeting, thus: 'A public meeting will be held at the Town Hall to-morrow, to see if the town will take steps for the improvement of the condition of the poor, now supported at the public charge.' Soliloquizes.*) Miss Butterworth is at the bottom of this movement, and something must be done to forestall the tendency towards Robert Belcher's unpopularity in respect to personal power. (*Rises from his chair, walks the room, swings his hands backward and forward, casting furtive glances into his mirror, and then rings the bell. A servant enters 2 L. E.*) Tell Phipps to come here. (*Exit servant 1 L. E. Enter Phipps 1 L. E.*) Well, Phipps, what are you here for?"

PHIPPS. "I was told you wanted me, sir."

BELCHER. "Well, bring the grays and the light wagon to the door to-morrow morning at seven o'clock."

PHIPPS. "Yes, sir."

BELCHER. "And Phipps, gather up all the old clothes about the house that you can find, that you can't use yourself, tie them up in a bundle and put them into the back of the wagon. If Mrs. Belcher asks you any questions, tell her I think of turning Sister of Charity. (*Phipps snickers.*) And Phipps, make a basket of cold meat and goodies, and put in with the clothes."

PHIPPS. "Yes, sir."

BELCHER. "And Phipps, remember, seven o'clock sharp, and no soldiering."

PHIPPS. "Yes, sir."

BELCHER. "And Phipps, here is a cigar that cost twenty-five cents. Do it up in a paper and keep it to remember me by. (*Phipps giggles in a silly manner.*) Now make yourself scarce." (*Phipps Exits 1 R. E.*)

SCENE II. *Tom Buffum's Parlor. Buffum alone. A knock at the door. "Come in," by Buffum. Enter Robert Belcher 2 R. E. with bundle of clothing and basket of provisions.*

BELCHER. "Good morning, Mr. Buffum. Hope you are well."

BUFFUM. (*With his wheezing voice.*) "Good morning, sir. I'm not sound, but able to breathe. (*Wheezing hard.*) Any news down town this morning?"

BELCHER. "Well, Yes. There is a matter on the tapis that interests you and me materially. There is to be a meeting at the Town Hall to-day to dispose of the poor for the next year. Keziah Butterworth has been stirring up the public feeling, and an effort will be made at the meeting to make revolution in the management. It is for your interest and mine that this plan be frustrated. In all matters of warfare stratagem is a powerful expedient, and the most effective measure I could conjure up was to convey to the minds of the public the impression that I am very much in favor of an amelioration of the condition of our paupers, and to this end I have brought some clothing and provisions to be distributed among them, which fact, if published, will tend to our success. We will now pass over to the poor-house."

SCENE III. *The poor-house. Enter Belcher and Buffum. Belcher tosses provisions to the paupers, who devour them eagerly.*

BELCHER. *(Terribly affected at what he sees and smells.)*
 "Buffum, for God's sake let's get out of this."

———. "Ay, ay! let's get out of this." *(Comes tremblingly from behind the bars. Belcher hastens to escape from the obnoxious scene, but does not in time to evade a recognition by one of the inmates.)*

———. "Robert Belcher. Oh! for God's sake, Robert Belcher!" *(Greeted his ears in a tone of wild distress, a whine, a howl, an objurgation, all combined.)*

ACT III.

SCENE I. *The Town Hall. Citizens lounging listlessly about. Robert Belcher enters, and is at once surrounded by sycophants, anxious for his opinions.*

BELCHER. "Have it just as you want it. *(Shaking his head ostentatiously, and motioning them away.)* Don't mind anything about me. I'm nothing but a passenger." *(This was said aloud and with a laugh. Peter Vernol was then elected Moderator, and ascended the platform.)*

P. VERNOL. "What is the further pleasure of the meeting."

BELCHER. *(In a flight of oratory.)* "I wish to say a few words preliminary to the transaction of the business for which this meeting was called. I wish to speak of our enterprising town of Seven Oaks. Certain improvements tend greatly to success, among which is to be considered the condition of the Public Schools. We cannot spend too much money for them. I am indebted to them for all I am. The glory of America, and its pre-eminence over other nations, is to be found in popular education. Let us, then, encourage its advancement by employing competent teachers, paying them liberal wages, and see to it that good school-houses are provided. Now, the object of this meeting is to take steps for the improvement of the condition of the poor, now supported at the public charge. Here is one first step. Let us endow our children with such a degree of intelligence that pauperism shall be impossible. In this thing I go hand

in hand with the clergy ; and now, whatever may be done to the advancement of popular education, though increased taxation will bear more heavily on me than any other, I pledge myself to support and stand by it. (*Great applause.*) The object of this meeting is, to let to the lowest bidder the keeping of our paupers during the next year."

P. VERNOL. "Remarks are now in order."

REV. SNOW. (*Looking around, discovers Miss Butterworth sitting near the door.*) "We are instructed in holy writ, that to do unto others as we would that others should do unto us, is a divine principle. This maxim should be adhered to in all our acts. It is a true saying, that he who *cannot* reason is a fool, he who *will not* reason is a bigot, and he who *dare not* reason is a slave ; but he who *can, will, and dare* reason, is a man. The question now arises, *Will we be men?* Humanity and Christianity cry aloud against the bad treatment reported to be received by the paupers in the Seven Oaks almshouse, especially the insane ones, and I consider it the positive duty of our enlightened citizens to spend more money for the amelioration of their condition ; and we should by all means institute a searching and competent inspection of our pauper establishment." (*All eyes were turned on Mr. Belcher.*)

BELCHER. "I do not forget that we have present here, to-day, an old and well-tried public servant. I see before me Mr. Thomas Buffum, who, for years, has had in charge the poor, not only of this town, but of this county. I do not forget that his task has been one of great delicacy, with the problem constantly before him how to maintain in comfort our most unfortunate class of population, and at the same time to reduce to its minimum the burden of our taxpayers. That he has solved this problem, and served the public well, I firmly believe. He has been for many years my trusted, personal friend, and I cannot sit here and hear his administration questioned, and his integrity doubted, without entering my protest. (*Cheers, during which Mr. Buffum grows red in the face.*) He has had a task to perform before which the bravest of us would shrink. We, who sit in our peaceful homes, know little of the hardships to which this faithful public servant has been subjected. Pauperism is ungrateful ; pauperism is naturally filthy ; pauperism is noisy. It consists of humanity in its most repulsive forms, and if we have among us a man who can—*who can*, I say—stand it, let us stand by *him*. (*Tremendous cheers.*) An open hand and free competition is a consistent principle.

This has been a policy in a business of whose propriety you are the best judges. I say an open hand and free competition in everything. How shall we dispose of our poor? Shall they be disposed of by private arrangement—sold out to favorites, of whose responsibility we know nothing? (*Cries of No, no, no.*) If anybody, who is responsible, can do the work cheaper and better than Mr. Buffum, let him enter at once upon the task. But let the competition be free, nothing covered up. Let us have clean hands in this business, if nowhere else. If we cannot have impartial dealing where the interests of human beings are concerned, we are unworthy of the trusts we have assumed. I give the Rev. Mr. Snow credit for motives that are unimpeachable—unimpeachable, sir. I do not think him capable of intentional wrong, and I wish to ask him here, and now, whether, within a recent period, he has visited the pauper establishment at Seven Oaks?”

REV. SNOW. “It is a long time since I have entered Mr. Buffum’s establishment.”

BELCHER. “I thought so. He has listened to the voice of rumor. Very well. I have to say, *I* have been there recently, and have walked through the establishment. I should do injustice to myself if I failed to hint to the reverend gentleman, and all those who sympathize with him, if I should fail to mention that I did not go empty-handed. (*Loud cheers.*) It is easy for those who neglect their own duties, to suspect that others do the same. I know our paupers are not supported in luxury. We cannot afford it; but I wash my hands of all responsibility for inhumanity and inattention to reasonable wants. The reverend gentleman himself knows, I think, whether any man ever came to me for assistance in behalf of any humane or religious object, and went away without aid. I cannot consent to be placed in a position that reflects upon my benevolence, and least of all, by the reverend gentleman who has reflected upon that administration of public charity, which has had, and still retains, my approval. I therefore move, that the usual sum be appropriated for the support of the poor of Seven Oaks, and that, at the close of the meeting, the care of the poor for the ensuing year be disposed of at public auction to the lowest bidder.”

DR. RADCLIFFE. (*In a screaming voice.*) “Mr Moderator, as I am the medical attendant and inspector of our pauper establishment, it becomes proper for me, in seconding the

motion of Mr. Belcher, as I heartily do, to say a few words, and submit my report for the past year."

BELCHER. "I move that, as the hour is late, the reading of the report be dispensed with."

P. VERNOL. "All in favor of dispensing with the reading of the report say 'aye.' (*Carried Nem. Con.*)"

DR. RADCLIFFE. (*Determined not to be put down.*) "I may at least say that I have made some discoveries during the past year that ought to be in possession of the scientific world. It takes less food to support a pauper than it does any other man, and I believe the reason is that he has n't any mind. If I take two potatoes, one goes to the elaboration of mental processes, the other to the support of the physical economy. The pauper has only a physical economy, and needs but one potato. Anernia is the normal condition of the pauper. He breathes comfortably an atmosphere which would give a healthy man asphyxia. Hearty food produces inflammatory diseases in a general condition of hypertrophy. The character of the diseases at the poor-house, during the past year has been typhoid. I have suggested to Mr. Buffum better ventilation, a change from farinaceous to nitrogenous food as conducive to a better condition of the mucous surfaces and a more perfect oxidation of the vital fluids. Mr. Buffum——"

"Oh, git out!" (*From a voice at the rear.*)

"Question! Question!" (*Call a dozen voices.*)

P. VERNOL. (*Catching a wink and nod from Mr. Belcher.*) "All in favor of appropriating the usual sum, and disposing of the care of the poor for the ensuing year to the lowest bidder, say 'aye.'" (*Carried amid the protests of Dr. Radcliffe.*)

(*At this time, Miss Butterworth, for the first time, noticed a stranger, from his appearance a backwoodsman, sitting by her side. He had evidently been attracted to the meeting to witness the proceedings. He turned to her with a smile so broad and full that it brought an answer to her own face as he said:*) "This 'ere breathin' is worse nor an old swamp. I'm goin', and good-by to ye!"

SCENE II. *Platform in front of Town Hall. The woodman discovered with several boys who had been attracted to his side by his good-natured and smiling face. Enter Phipps, Belcher's driver, 3 R. E. cracking and displaying his whip pompously.*

PHIPPS. (*Addressing the boys.*) "Gentlemen, this is the

hippotamus, fresh from his native woods. He sleeps underneath the banyan tree, and lives on the nuts of the hick-o-ree, and pursues his game with his ears laid over his back and one eye open, and has been known, when excited by hunger, to eat small boys, spitting out their boots with great violence. Keep out of his way, gentlemen, and observe his wickedness at a distance." (*Phipps was loudly cheered by the boys. The woodman was also amused, and turning to Phipps he said:*)

"Well, you 're a new sort of a monkey, any way. I never hearn one talk afore."

PHIPPS. "You never will again, if you give me any more of your lip." (*The woodman walked quickly toward Phipps in a menacing attitude, and the sawney made a hasty exit 3 R. E., and the boys shouted at him in derision, and when they found he was not coming back, they gathered around the woodman, asking questions, which he answered good-naturedly. He seemed to be pleased with their society, as if he was only a big boy himself. At this time Miss Butterworth entered 1 L. E. with tears in her eyes, and in distress. He approached her without the slightest awkwardness. Exit. Boys 3 L. E.)*

WOODMAN. "Has anybody teched ye, mum?"

MISS B. "Oh, no, sir."

WOODMAN. "Has anybody spoke ha'sh to ye?"

MISS B. "Oh, no, sir." (*Taking his sympathy good-naturedly.*)

WOODMAN. "Because, I'm spilin' to do something for somebody, and I would n't mind thrashin' anybody ye'd p'int out."

MISS B. "No, you can do nothing for me. Nobody can do anything in this town for anybody until Robert Belcher is dead."

WOODMAN. "Well, I should n't like to kill 'im unless it was an accident in the woods—a great ways off—for a turkey or a hedgehog—and the gun half cocked. (*Miss Butterworth smiled through her tears, but felt uneasy at being observed in conversation with a stranger, and the woodman continued talking, thinking that a mention of his name would make him an acquaintance.*) I'm Jim Fenton. I trap for a livin' up in the woods, at Number Nine, and have just brung in my skins."

MISS B. "My name is Butterworth."

JIM. "I know'd it. I axed the boys. Good-by. Here's the store, and I must shoulder my sack and be off. I do n't

see women much, but I'm fond of 'em, and they're pretty apt to like me."

MISS B. "Good-by. I think you are the best man I have seen to-day (*hesitates*), and that is n't saying much." (*They part, and Jim stands still, looking at her till she disappears.*)

JIM. "That's what I call a genuine creetur, a genuine creetur." (*Exit 1 L. E.*)

SCENE III. *The highway. A small boy sitting by the road-side. He is thinly dressed, and shivers with the cold. Enter Jim Fenton, 2 L. E.*

JIM. (*Tenderly.*) "Well, bub, how fare ye?"

BOY. "I'm pretty well, I thank you, sir."

JIM. "I guess not. You're as blue as a whetstone. You haven't got as much on you as a picked goose."

BOY. "I can't help it, sir." (*And burst into tears.*)

JIM. "Well, well, I didn't mean to grieve you, boy. Here, take this money, and buy somethin' to make you happy. Don't tell your dad you've got it. It's your'n."

BOY. (*Reluctantly.*) "I don't wish to take it, sir."

JIM. "Now, that's good! Don't wish to take it! Why? What's your name? You're a new sort of a boy."

BOY. "My name is Harry Benedict."

JIM. (*Surprised.*) "Harry Benedict? And what's your pa's name?"

HARRY. "His name is Paul Benedict."

JIM. "Where is he now?"

HARRY. "He is in the poor-house."

JIM. "And you, too?"

HARRY. "Yes, sir." (*Weeping violently.*)

JIM. "Well, well, well, well! If that ain't the strangest thing I ever hear'n on! Paul Benedict, of Seven Oaks, in Tom Buffum's boarding-house!"

HARRY. "Yes, sir, and he's very crazy, too."

JIM. (*Lays his pack and rifle down together, sits down on a stone, and calls the boy to him and folds him to his warm breast.*) "Harry, my boy, your pa and me was old friends. We have hunted together, fished together, sat together, and slept together many's the day and night. He was the best shot that ever came into the woods. I've seed him hit a deer at a hundred rods many's the time, and he used to bring up the nicest tackle for fishin', every bit of it made with his own hands. He was the curisist creetur I ever seed in my

life, and the best, and I'd do more fur 'im nor fur any livin' live man. Oh, I tell ye, we used to have high old times. It was wuth livin' a year in the woods jest to have him with me fur a fortni't. I never charged 'im a red cent fur nothin', and I've got some of his old tackle now that he give me. Him an' me wuz like brothers, and he used to talk about religion, and tell me I ought to shift over; but I never could see 'zactly what I ought to shift over from, or shift over to, but I let 'im talk 'cause he liked to. He used to go out behind the trees nights, and I hear'n 'im sayin' somethin'—somethin' very low, as I am talkin to ye now. Well, he wuz prayin,' that's the fact about it, I s'pose; and ye know, I felt just as safe when that man was 'round! I don't b'lieve I could 'a been drowned when he was in the woods any more'n if I'd been a mink. (*After a pause.*) An' Paul Benedict is in the poor-house! I vow, I don't 'zactly see why the Lord let that man go up the spout. But perhaps it'll all come out right. Where's your ma?"

HARRY. (*With a great, shuddering gasp.*) "My ma is dead." (*Weeping again.*)

JIM. "Oh, now don't, now don't! (*Tenderly pressing the distressed lad to his heart.*) Don't ye do it; it don't do no good. It jest takes the spunk all out o' ye. Ma's have to die like other folks, or go to the poor-house. You wouldn't like to have yer ma in the poor-house. She's all right. God Almighty's bound to take care o' her. Now ye jest stop that sort o' thing. She's better off with him nor she would be with old Tom Buffum—any amount better off. Does'n't Tom Buffum treat yer pa well?"

HARRY. "Oh, no, sir. He doesn't give him enough to eat, and he doesn't let him have things in his room, because he says he'll hurt himself, or break them all to pieces, and he doesn't give him good clothes, nor anything to cover himself up with when it is cold."

JIM. (*His great form shaking with indignation.*) "Well, boy, do you want to know what I think of Tom Buffum?"

HARRY. "Yes, sir."

JIM. "It won't do fur me to tell ye, 'cause I'm rough; but if there's anything *awful* bad—oh, bad as anything can be—in skeezacks, I should say that Tom Buffum was an old skeezacks. (*Jim is feeling his way with the boy.*) I should say that he was an infernal old skeezacks. That isn't very bad, is it?"

HARRY. "I don't know, sir."

JIM. "Well, a d—d rascal. How's that?"

HARRY. (*Astonished.*) "My father never used such words."

JIM. "That's right, and I take it back. I ought not to have said it; but unless a feller has got some sort o' religion, he has a mighty hard time namin' people in this world. (*Hears a peculiar noise, like a cry of distress.*) What's that?"

HARRY. "That's one of the crazy people. They do it all the time."

JIM. (*Reflecting on what he had heard at the town-meeting, and recalling the distress of Miss Butterworth.*) "Look 'ere, boy. Can ye keep right here (*tapping him on the breast*) whatsomever I tell ye? Can ye keep yer tongue still?—hope ye'll die if ye do n't?"

HARRY. (*Inspired with hope by Jim's manner.*) "I'll never say anything if they kill me."

JIM. "Well, I'll tell ye what I'm goin' to do. I'm goin' to stay to the poor-house to-night, if they'll keep me, an' I guess they will, an' I'm goin' to see yer pa, too, and somehow, you an' he must be got out o' this place. (*The boy throws his arms around Jim's neck, and hugs and kisses him passionately again and again, apparently powerless to give any other expression to his emotions. Jim, filled with emotion, proceeds.*) Oh, God! don't, boy! That's a sort o' thing I can't stand; I ain't used to it. (*Pausing as if to realize how sweet it was to hold the trusting child in his arms, and to be thus caressed.*) Ye must be mighty keerful, and do just as I bid ye. If I stay to the poor-house to-night, I shall want to see ye in the mornin', and I shall want to see ye alone. Now, ye know there's a big stump by the side of the road, half way up to the old school-house."

HARRY. "Yes, sir."

JIM. "Well, I want ye to be there ahead o' me, an' then I'll tell ye jest what I'm goin' to do, an' jest what I want to have ye do."

HARRY. "Yes, sir."

JIM. "Now, mind, ye must n't know me when I'm about the poor-house, an' you must n't say a word of this to anybody. Do n't ye begin to feel better now?"

HARRY. "Yes, sir."

JIM. "Ye can kiss me now, if ye want to. I did n't want to choke ye off. That was all in fun, ye know. (*Harry kisses him.*) An' now make tracks fur yer old boardin'-house. (*Harry starts off on a run, and Jim watches him until he disappears.*) Well, Jim Fenton, you've been spilin' for somethin' to do, and now ye've got it." (*Exit 2 L. E.*)

SCENE IV. *Tom Buffum's parlor. A rap at the door. Buffum goes to the door. Enter Jim Fenton 2 L. E.*

JIM. "Well, Mr. Buffum, how fare ye? (*Shakes hands with Buffum, who attempts to respond, but ends in a wheeze.*) Have ye got room fur 'nother boarder to-night? Faith! I never expected to come to the poor-house, but here I am. I'll take entertainment for man or beast. Somebody's got to keep me to-night, and ye're the man to bid low." (*Buffum picks his teeth furiously.*)

BUFFUM. (*In a wheezy whisper.*) "You go in and see the women."

SCENE V. *Mrs. Buffum's sitting-room, occupied by herself and daughters. Enter Jim and Buffum 1 L. E.*

JIM. "Well, Mrs. Buffum, how do ye prosper, and the girls? I'm on my way to Number Nine, and as distance lends enchantment to the view, I thought I would reflect on twenty miles, and hang out over night in these parts somewhere, and Mr. Buffum recommended me to you."

MRS. BUFFUM. "If you can take up with what we've got."

JIM. "In course, an' I can take up with what ye have n't got."

MRS. BUFFUM. "Our accommodations is very crowded."

JIM. "So is mine to hum. I allers sleep hangin' on a gambrel 'tween two slabs. (*The women laugh, during which Jim lifts off his pack, places his rifle in the corner of the room, and sits down.*) Do ye have many callers, here, Mrs. Buffum."

MRS. BUFFUM. "Yes, visitors to the poor-house, but not for us. Dr. Radcliffe, the medical attendant, comes in sometimes, but attractions here do not seem to come up to the standard of alluring society."

JIM. "Well, I declare society then is a curious critter. If purty faces and nice forms don't draw, what does. I could live and die here if it took a hundred year. It's awful what taste some folks hev got. (*He hears some noise among the paupers.*) This hollerin' ye got here reminds me of Number Nine. There's some pretty tall hollerin' there nights. Do ye see how my ha'r sticks up? I can't keep it down. It riz one night just about where you see it now, and it's been thar ever since. I've tried taller an' everything, an' it do n't do no good. I 'spose Mr. Buffum, snorin' as he

does now, settin' on it for a fortni't would n't do no good."
(*A slight rumble in Buffum's throat.*)

ISS BUFFUM. (*Very much interested.*) "Why, what made it rise so?"

JIM. "Now, ain't yer purty eyes wide open!"

MISS B. (*Blushing.*) "You're just fooling, you know you are."

JIM. "I ain't foolin' nuther, and when ye hear all about it ye'll give in."

MISS B. "Now, Jim Fenton, you shall go along and tell your story, and not keep us on tenter-hooks all night."

JIM. "I don't want to scare the dear little heart out o' ye; but if ye will hear it, I suppose I must tell ye. Ye see, I'm alone purty much all the time up thar. I don't hev no sich good times as I'm havin' here to-night, with purty gals 'round me. Well, one night I hearn a loon, or I thought I did, an' then I thought it was a painter; but it did n't sound 'zactly like a painter, nuther. Well, I couldn't sleep, so I thought I'd git up. So I went to my cabin door an' flung it open. Jest then I hearn the infarnal critter nigher, and I begun to hear the brush crack. I know'd then that I'd got to meet some new kind of a critter, an' went an' got my rifle. The thing wuz a man, or sumthin' that looked like one. It stopped about three rods off. He had long, white hair, an' sumthin' in his hand that shined like. I drew up my rifle, an' sez I, Whosomever ye be, stop, or I'll plug ye. What do ye 'spose he did? He jest took that shinin' thing an' swung it 'round his head. Then he put suthin' to his mouth, an' jest blowed till the woods rung an' rung again. An' then sez I to myself, Jim Fenton, ye're a goner. But he didn't know that I wuz skeered, an' I sez to him, That's a good deal of a toot! Who be ye callin' to dinner? An' sez he, 'It's the last day—I'm the angel Gabr'el.' Well, sez I, if ye're the angel Gabr'el, cold lead won't hurt ye, so mind yer eyes! At that I drew a bead on 'im, an' do ye b'lieve it, I knocked that tin horn into flinders, an' he went off into the woods like a streak o' lightnin'. An' my ha'r hain't never cum down." (*Buffum gives signs of life by a wheezy chuckle, which grows more and more audible, until it bursts into a full demonstration, which is half laugh and half cough.*)

MISS B. "Why, father! what are you laughing at?"

BUFFUM. "It was old Tilden."

MOTHER AND DAUGHTERS. "I wonder if it was."

BUFFUM. "Did you ever see him again?"

JIM. "I seen 'im onc't, in the spring, I s'pose, what there was left of 'im, but there was n't much left but an old shirt an' some bones, an' I guess he wa n't no great shakes of an angel. I buried 'im where I found 'im, an' said nothin' to nobody."

BUFFUM. "That's right. It's just as well."

MRS. BUFFUM. "The truth is, that folks made a great fuss about his getting away and never bein' found. I thought it was a good riddance. He was always arter our dinner horn, and blowin', and thinkin' he was the angel Gabriel. Well, it's a comfort to know that he's buried, and no more expense."

JIM. "I'd like to see some o' the crazy people. They must be a jolly set. When ye feed the animals in the mornin', I'd kind o' like to go round with ye."

MRS. BUFFUM. "I do n't think you ought to do it. Only those who understand them, and are used to them, ought to see them. You see, we can't give 'em much furnitur'. They break it, and they tear their bedclothes to pieces. All we can do is to keep them alive. As for keepin' their bodies and souls together, I don't s'pose they've got any souls. They are nothin' but animals, as you say, and I don't see why anybody should treat an animal like a human bein'. They have n't no sense of what you do for 'em."

JIM. "Oh, ye need n't be afraid of my blowin'. I never blow'd about old Tilden, as ye call 'im, an' I never expect to."

BUFFUM. "That's right. It's just as well."

MRS. BUFFUM. "Well I s'pose the doctor'll be up in the mornin', and we shall clean up a little, and put in new straw, and perhaps you can go around with him." (*All retire.*)

SCENE VI. *The poor-house hall. Jim Fenton and Dr. Radcliffe in conversation.*

JIM. "Doctor, they did n't treat you very well to the town-hall, yesterday. I said to myself, Jim Fenton, what would ye done if ye had know'd as much as that doctor, an' had worked as hard as he had, an' then been jest as good as stomped on by a set of fellows that did n't know a hole in the ground? Sez I, answerin' myself, Ye'd 'a made the fur fly, an' spit blood."

DR. R. "Ah, violence resteth in the bosom of fools."

JIM. "It would n't 'a rested in my bosom long. I'd 'a made a young 'arthquake thar in two minits."

DR. R. "The vulgar mind does not comprehend science."

JIM. "Now, jest tell me what science is. I have n't been bro't up to know about these things. Ye see, I ain't educated, an' I made up my mind if I ever found a man as know'd what science was, I'd ask 'im."

DR. R. "Science, sir, is the sum of organized and systematized knowledge."

JIM. "Now that seems reasomble; but what is it like? What do they do with it? Can a feller git a livin' by it?"

DR. R. (*With a bitter smile.*) "Not in Seven Oaks."

JIM. "Then what's the use on't?"

DR. R. "Pardon me, Mr. Fenton. You'll excuse me when I tell you that you have not arrived at that mental altitude—that intellectual plane—"

JIM. "No, I live on a sort o' medder."

(*The case being hopeless, the doctor opens the insane ward.*)

JIM. (*Approaching.*) "Phew! This is worsen nor the town-meetin'. (*Looking about him with extreme pity on his countenance.*) This is a damnable shame! 'Scuse me, doctor; but if ye have any hard words about ye, let me take 'em. How's the balance?"

DR. R. "There are different phases of insanity here. Near where we now are is a case of Shakspearean madness, and many of her freaks have a romantic interest attached, from the fact that it did not escape the interest of the great bard."

JIM. "I notice, myself, that she's grated and barred." (*The doctor stares at Jim with an amused look. They pass on to a woman sitting quietly in the corner, on the straw.*)

JIM. "How fare ye this mornin'?" (*Speaking kindly.*)

INMATE. "I'm just on the verge of eternity."

JIM. "Don't be too sure o' that, now. Yer good fur ten year yet."

INMATE. "No! I shall die in a minute."

JIM. (*To the doctor.*) "Does she mean that?"

DR. R. "Yes; and she has been on the verge of eternity for fifteen years. That's rather an interesting case, too. I've given it a great deal of study. It's hopeless, of course; but it's a marked case, and full of suggestions to a scientific man. We have a case where the patient desires all whom she sees, to kill her. A visitor once aimed a heavy blow at the wall, within three inches of her head, and she never winked. It was a very interesting experiment, as it

illustrated the genuineness of her desire for death. Otherwise, the case is much like many others."

JIM. "Very interestin', very! Didn't ye never think o' makin' her so easy an' comfortable that she wouldn't want anybody to kill her? I should think *that* would be an interestin' experiment."

DR. R. (*Shaking his head.*) "Mr. Fenton, excuse me, sir; but it's very evident that you've not had a medical education."

JIM. "There's where yer weak. I'm a reglar M. D. three C's double X an' two I's. That's the year I was born in, an' that's my perfeshun. I studied with a Ingin, an' I know'd more 'arbs, an' roots, an' drawin'-leaves than any doctor in a hundred mile, an' if I can be of any use to ye, doctor, there's my hand."

DR. R. "Mr. Fenton, did you ever see a medulla oblongata?"

JIM. "Well, I've seen a good many garters in the stores, and I guess they were mostly oblong."

DR. R. "Did you ever see a solar plexus?"

JIM. "Dozens of 'em. I always pick a few in the fall, but I do n't make much use on 'em."

DR. R. "Perhaps you've seen a pineal gland."

JIM. "I make 'em. I whittle 'em out, evenin's, ye know."

DR. R. "If you were in one of those cells, I should think you were as mad as a March hare." (*In the next cell Jim finds his old friend sitting on the straw.*)

JIM. (*Slipping up to the cell, and speaking softly.*) "Paul Benedict, give us your benediction."

PAUL B. (*Looking up quickly.*) "Jim!"

JIM. (*Whimpering.*) "Good God! he knows me. Yes, Mr. Benedict, I'm the same rough old fellow. How fare ye."

PAUL B. "I'm miserable."

JIM. "Well, ye don't look as ef ye felt fust rate. How did ye git in here?"

PAUL B. "Oh, I was damned when I died. It's all right, I know, but it's terrible."

JIM. "Why, ye don't think ye're in hell, do ye?"

PAUL B. "Don't you see?" (*Looking around him.*)

JIM. "Oh, yes, I see. I guess ye're right."

PAUL B. "But where did you come from, Jim? I never heard that you were dead"

JIM. "Yes, I'm as dead as you be."

PAUL B. "Well, what did you come here for?"

JIM. "Oh, I thought I would call round."

PAUL B. "Did you come from Abraham's bosom?"

JIM. "Straight."

PAUL B. "I can't think why you should come to see me in such a place as this."

JIM. "Oh, I got kind o' uneasy. Don't have much to do over thar, ye know."

PAUL B. "How did you get across the gulf?"

JIM. "I jest shoved over in a birch, an' ye mus' be per-lite 'nough to return the call. (*Benedict looks down upon his torn clothing.*) Oh, never mind yer clothes. I dress jest the same there that I did in Number Nine, an' nobody sez a word. The fact is, they ain't very pertickler there, anyway. I'll come over an' git ye, ye know, an' interjuce ye, an' ye shall have jest as good a time as Jim Fenton can give ye."

PAUL B. "Shall I take my rifle along?"

JIM. "Yes, an' plenty of am'nition. There ain't no game to speak on,—only a few pa'tridges,—but we can shoot at a mark all day, if we want to."

PAUL B. (*Tottering to his feet.*) "Jim, you always was a good fellow. (*Dropping his voice to a whisper.*) I'll show you my improvements. Belcher mustn't get hold of them. He's after them. I hear him around nights; but he shan't have them. I've got a new tumbler, and—"

JIM. "Well, never mind now. It'll be jest as well when ye come over to spend the day. Now, look a here! Don't say nothin' to nobody about this. When I come arter ye, we will have a high old time. Now jest lay down an' rest, an' keep yer thoughts to yerself till I come ag'in. Don't tell nobody I've been here. I'll settle with the old boss if he makes a row. Jim Fenton always means what he says."

PAUL B. "Yes, Jim."

JIM. "An' when I come here—most likely in the night—I'll bring a robe to put on ye, an' we'll go out still."

PAUL B. "Yes, Jim."

JIM. "Sure ye understand?"

PAUL B. "Yes, Jim."

JIM. "Well, good-by. Give us yer hand. Here's hopin'."

SCENE VII. *Poor-house hall. Enter Dr. Radcliffe and Jim Fenton.*

JIM. "Well, doctor, this sort o' thing is too many fur

me. I gi'n it up. It's very interestin', I s'pose, an' it seems to me it's gettin' out o' order. Do ye see my ha'r, doctor? (*Exposing his heavy shock.*)

DR. R. "Yes, I see it." (*Wants to shake Jim off.*)

JIM. "Well, doctor, that's all riz since I came in here."

DR. R. "Are you sure?"

JIM. "I'd jest combed it when ye come this mornin'. D'ye ever see anything like it? How'm I goin' to git it down?"

DR. R. "Very singular."

JIM. "Why, doctor, I feel like a hedgehog. What am I goin' to do?"

DR. R. "Why, this is very interesting. (*Takes out notebook.*) What is your name?"

JIM. "Jim Fenton."

DR. R. "Age?"

JIM. "Thirty or forty. Somewhere along there."

DR. R. "H'm. (*Writing out the whole reply.*) Occupation?"

JIM. "M. D. three C's double X an' two I's."

DR. R. "H'm. What do you do?"

JIM. "Trap, mostly."

DR. R. "Religious?"

JIM. "When I'm skeered."

DR. R. "Nativity?"

JIM. "Which?"

DR. R. "What is your parentage? Where were you born?"

JIM. "Well, my father was an Englishman, my mother was a Scotchman, I was born in Ireland, raised in Canady, an' hev lived for ten year in Number Nine."

DR. R. "How does your head feel now?"

JIM. "It feels as though every ha'r was a pin. Do you s'pose it'll strike in, doctor?"

DR. R. (*Looks Jim over as though he were a bullock, but goes on with his investigations.*) "Weight, about two hundred pounds; hight, six feet two; temperament, bilious, sanguine. Some time when you're in Seven Oaks, come and see me."

JIM. "An' stay all night?"

DR. R. "I'd like to see the case again. Shall not detain you long. The matter has a certain scientific interest."

JIM. "Well, good-by, doctor. I'm off for Number Nine. I'm much obleeged for lettin' me go round with ye, but I never want to go ag'in. (*Exit Dr. R., 2 R. E. Jim solilo-*

quizes.) It bothers me amazin'ly that the Lord lets one set o' people make it so thunderin' rough for another set. An' there's another thing that bothers me. How do they expect that a sick feller is goin' to git well when they put 'im where a well feller'd git sick? If I was a hopeless case there, I'd want to be killed too. (*Enter Tom Buffum.*) A jolly lot you've got over there. If I had sech a family as them, I'd take 'em round for a show, an' hire Belcher's man to do the talkin'. 'Walk up, gentlemen, walk up, an' see how a Christian can treat a feller bein'! Here's a feller that's got sense enough left to think he's in hell!'"

BUFFUM. "Well, I keep my paupers as well as I can afford to."

JIM. "Oh, I know it; but it seems rough to a feller like me to see people shut up in the dark, when there's good breathin', an' any amount of sunshine to be had free gratis fur nothin'."

BUFFUM. "Well, they don't know the difference."

JIM. "Arter a while I guess they do n't. Now, what's the damage, for I've got to go 'long?"

BUFFUM. "I shan't charge you anything. You have n't said anything about old Tilden, so it's all right."

ACT IV.

SCENE I. *Harry Benedict sitting by a stump, by the roadside.*
Enter Jim Fenton, 2 L. E.

JIM. "Mornin', Harry. (*Sitting down and taking Harry in his arms.*) Harry, I've had ye in my arms all night,—a little, live thing,—an' I've been a' longin' to git ye ag'in. If ye want to, very much, ye can put yer arms round my neck an' hug me like a little bear. (*Harry hugs him with all his strength.*) There, that's right, that's right. I shall feel it till I see ye ag'in. Hev ye been thinkin' about what I telled ye last night?"

HARRY. (*Eagerly.*) "Oh, yes! all the time."

JIM. "Well, now, do ye know the days—Sunday, Monday, Tuesday, an' the rest of 'em?"

HARRY. "Yes, sir, all of them."

JIM. "Now remember, to-day is Wednesday. It will be seven days to next Wednesday, then Thursday will be eight,

Friday, nine, Saturday, ten. Ye always know when Saturday comes, do n't ye ?”

HARRY. “Yes, because it is our school holiday.”

JIM. “Well, then, in ten days I shall come ag'in. Saturday night do n't ye go to bed, an' ye must git out o' the house before ten o'clock, an' come straight to this old stump. Can ye git away an' nobody see ye ?”

HARRY. “Yes. They do n't mind anything about me. I could stay out all night, and they would n't know where I was.”

JIM. “Well, now don't get mixed.”

HARRY. “I tell you, Mr. Fenton, I won't make a mistake.”

JIM. “When I come, I shall bring a hoss an' wagin, an' shall come here to this stump, an' ye shall hold the hoss while I go an' git yer pa, and then we'll wopse 'im up in some blankets, and make a clean streak for the woods, an' Bob Belcher 'll have a nice time finding Paul Benedict, only he won't. He did n't care anything about old Tilden, but to lose your pa, without knowin' where to look for 'im is a cons'mation that the old scoundrel don't wish. Now git back to Tom Buffum's the best way ye can.”

HARRY. “Yes, Mr. Fenton.” (*Kisses Jim, and starts on a run, and disappears 2 R. E.*)

JIM. (*Looks after Harry, till he disappears, and then soliloquizes.*) “He's got the real hunter in 'im, just like his father; but there's more in 'im nor there ever was in his father. Takes arter his ma, I guess. But any man who can string things together the way Benedict did this mornin' can be cured. Startin' in hell, he was all right an' everything reasonable. The startin' is the principal p'int, an' ef I can get him to start from Number Nine, I'll fitch 'im around. He always was ter hum in the woods, an' when I git 'im thar, an' git 'im fishin', an' huntin', an' sleepin' on hemlock, an' eatin' venison, and corn dodgers, it'll come to 'im that he's been there afore, an' he'll look round to find Abram, an' he won't see 'im, an' his craze 'll kind o' leak out of 'im afore he knows it.” (*Exit Jim for Number Nine, 2 R. E.*)

SCENE II. *Mike Conlin's house, half way between Seven Oaks and Number Nine. Mike Conlin sitting by the fire, smoking a clay pipe. Enter Jim Fenton, 1 L. E.*

JIM. “Mike, how fare ye ?”

MIKE. "Comfortable, I thank ye, sir."

JIM. "Mike, there's a crazy pauper in the poor-house, at Seven Oaks, an' I'm goin' to steal 'im out, and I want your connivance in the transaction. What do ye say?"

MIKE. "Jim, did ye iver know an Irishman to stan' back from doin' good to a feller creetur? But who is it?"

JIM. "It's Paul Benedict, an' he's crazier nor a loon, an' sick too."

MIKE. "Paul Benedict crazy, an' in Tom Buffum's hog-pen, the devil's own instertution? Well, Jim, wot kin I do ter help ye?"

JIM. "I want yer hoss an' wagin a week from next Saturday, an' I'll come here in the night with Benedict an' his boy, an' I'm goin' to take 'em to Number Nine an' cure Benedict, an' I want ye to help doctor 'im, an' I don't b'lieve the Lord'll let sich a man die. An' when he's cured, ye'll see ole Belcher hauled over coals hotter nor the divil's own fryin'-pan. Mind wot I tell ye. Now don't forget. A week from next Saturday, after supper, git yer hoss to yer wagin, an' before Sunday mornin' there'll be an interestin' bugglery at the Seven Oaks poor-house."

SCENE III. *Jim Fenton at the stump in Seven Oaks, where he meets Harry Benedict. He whistles, and the little fellow comes.*

JIM. "Now, Harry, ye jest stan' by the ole hoss's head till I git back to ye. (*Jim goes to the outside door of the cells where the paupers are, and calls in a soft voice*) Paul Benedict, give us yer benediction."

PAUL B. (*From within.*) "Jim."

JIM. "Don't make no noise, not even if I sh'd make a great deal. (*Grasping the bars, he tears everything down with a great clatter. Great howling and groans by the other paupers. Jim enters 3 L. E. with Benedict.*) Here's the robe that Abraham sent ye." (*Throws the robe over his shoulders, and the conversation continues.*)

PAUL B. (*Feebly.*) "They were pretty angry about my going."

JIM. "Yes, but I wuz too many fur 'em."

PAUL B. "Does Father Abraham know I'm coming?"

JIM. "Yes, an' he'd a' sent afore, but he's jest wore out with company. He's a mighty good-natured man, an' they take the advantage of 'im. But I've posted 'im about ye, an' ye're all right."

PAUL B. "Is it very far to the gulf?"

JIM. "Yes, it's a good deal of a drive; but ye can lay right down an' sleep, an' I'll let ye know when we git thar."

SCENE IV. *The poor-house on Sunday morning. Enter Tom Buffum, having learned that Benedict was missing.*

BUFFUM. (*To an attendant.*) "Where's that boy?"

ATTENDANT. "His bed has not been occupied."

BUFFUM. "Go out, all of you, and find them, and bring them back, and say nothing about it. (*Exit all, right and left.*) If Benedict is not found, the devil will be to pay when Bob Belcher finds it out. For some reason, he do n't want to lose him; but why, no one knows. My reputation as a pauper guardian suffered bad enough when old Tilden got away; but no one, not even Belcher, cared for the escape of that old idiot. But from this calamity the Lord deliver me." (*Enter Belcher, 1 R. E.*)

BELCHER. (*Much excited.*) "Is it true, Mr. Buffum, that Paul Benedict and his boy are missing from the poor-house?"

BUFFUM. (*Also excited.*) "Yes. I have sent out several men and boys to search for them, and all have come back and reported their failure to find them."

BELCHER. "Have you any theory relating to their escape?"

BUFFUM. "I believe Benedict's boy is at the bottom of it. He is the cutest little chap I ever met, and woe be to us if his father ever makes his appearance amongst us a well man."

BELCHER. "I will give one hundred dollars to have them returned to the poor-house, dead or alive. Buffum, this bespeaks great want of vigilance in you. Paul Benedict's disappearance will prove disastrous to me."

ACT V.

SCENE I. *Jim Fenton's cabin at Number Nine. Paul Benedict lying on a bed of hemlock boughs, in a high fever, and Jim Fenton nursing him.*

JIM. (*Talking to himself.*) "Now's the time when a feller wants some sort o' religion, or a woman, an' I hain't got nothin' only a big dog an' a little boy, an' no doctor nearer

nor forty mile. (*Enter Harry, 1 R. E., and Jim goes to prepare supper. While thus engaged, enter Mike Conlin 1 L. E.*) Mike Conlin, I'm glad to see ye."

MIKE. "Och ! divil a bit wud ye be glad to see Mike Conlin, if ye know'd he he'd come to arrist ye. Jim, ye are me pris'ner. Ye've bin stalin' a pauper—a pair of 'em, faith—an' ye must answer fur it wid yer life to owld Belcher. Come along wid me. None o' yer nonsinse, or I'll put a windy in ye."

JIM. "Old Belcher sent ye, did he?"

MIKE. "Begorry he did, an' I've come to git a reward. Now, if ye'll be dacent, ye shall hev part uv it."

JIM. "Did ye tell 'im anything, Mike?"

MIKE. "Divil a bit."

JIM. "An' ye know'd I'd lick ye if ye did. Ye know'd that, did n't ye?"

MIKE. "I know'd ye'd thry it faithful, an' if ye did n't do it there'd be niver a man to blame but Mike Conlin."

(*Jim gets supper for Mike, and when Mike has finished eating, he and Mike go to see Benedict. Mike scans him, and all the appointments, and then he and Jim retire.*)

JIM. "Mike, that man an' me wuz like brothers. I found 'im in the devil's own hole, an' any man as comes atween me an' 'im must look out fur 'imself furever arter. Jim Fenton's a good-natered man when he aint riled ; but he'd sooner fight nor eat when he is. Will ye help me, or won't ye?"

MIKE. (*Opening his pack.*) "There, ye bloody blaggard, is a tum'ler o' jelly. Lick that, will ye? Mash these crackers, an' pitch into this rooster. Knock the head off this bottle o' brandy, Jim, an' spill 'is blood. An' here's a package o' tay, Jim. Down wid it ; it's insulted ye. See this chunk o' maple sugar, the brown rascal. An' here's a lot o' other things that nobody but a woman like me wife wud think of. Ye owld spalpeen, wot d'ye think now?"

JIM. (*Having watched Mike with tearful eyes.*) "Mike, will ye furgive me? I wuz afeered the money'd be too many fur ye ; but barrin yer big fut an' ugly nose that's on ye, ye're an angel."

MIKE. "Niver ye mind me fut. Me inimies don't like it, an' they can give a good raison fur it ; an' as fur me nose, it'll look worsen nor it duz now when Jim Fenton gits a crack at it."

JIM. "Mike, ye hurt me. Here's me hand, an' honors are easy." (*They shake hands.*)

MIKE. "Ye see, afther ye come away that night wid Benedict an' his boy, I jest lay down and got a bit uv a shnooze, an' in the mornin' I started fur me owld horse. It wuz a big thramp to where ye lift 'im, an' comin' back purty slow, I picked up a few shticks an' put intil me wagin fur me owld woman. I did'n't git home much afore darruk, an' the owld hoss was n't much more nor in the shtable, an' I atin' me supper, quiet like, afore owld Belcher druv up to me house wid his purty man on the seat wid 'im. An' sez he, 'Mike Conlin! Mike Conlin! Come to the dour wid ye!' An' I went to the dour, an' he sez, sez he, 'Hev ye seen a crazy owld feller wid a boy?' An' sez I, 'There's no crazy owld feller wid a boy bin by me house in the daytime. If they wint by at all at all, it wuz when me family wuz ashlafe. Thin he got out uv his wagin an' cum in, an' he looked round in all the corners, careless like, an' thin he wint to the barrun, an' looked all about purty careful, an' he sez, sez he, 'What ye bin doin' wid the owld hoss on a Sunday, Mike?' An' I sed I'd jest bin pickin' up a few shticks fur me owld woman. An' sez he, 'Mike, if ye'll find these fellers I'll give ye five hundred dollars.' An' sez I, 'Mike Conlin's no better nor a pauper himself. If ye'll give a hundred dollars, I'll thry it,' an' begorry, Jim, I've got it right thar. (*Slapping his pocket.*) An' sez he, 'Take along sumthin' fur 'em to eat,' an' faith, I've dun that same, an' found me men, an' now I'll shtay wid ye fur a week, an' 'arn me hundred dollars."

(*They turn to Benedict, and watch him a short time. He is very bad, and in an apparently hopeless condition. Jim and Mike turn away, and sit down on a log.*)

JIM. (*Discouraged.*) "Mike, sumthin' must be did. We've did our best, an' nothin' comes on it, an' Benedict's nearer Abraham's bosom nor I ever meant he should come, in my time. I ain't no doctor; ye ain't no doctor. We've nussed 'im the best we know'd, but I guess he's a goner. It's too thunderin' bad, fur I'd set my heart on puttin' 'im through."

MIKE. "Well, I've got me hundred dollars, an' ye'll get you're pay in the next wurrild."

JIM. "I don't want no pay, an' what do ye know about the next world anyway?"

MIKE. "The praste sez there's one anyway."

JIM. "The priest be hanged. What does he know about it?"

MIKE. "That's his business. It's not fur the likes o' me to answer fur the praste."

JIM. "Well, I wish he was here in Number Nine, an' we'd see what we could git out of him. I've got to the end of my rope. (*Sits a short time in deep reflection.*) Mike, go and send the boy to me. (*Exit Mike after Harry. In a few moments, he enters.*) Little feller, I need comfortin'. It's a comfort to have ye here in me arms, and I don't never want to have you go way from me. Yer pa is awful sick, and perhaps he ain't never goin' to be no better. I'm afraid the rain an' the ride, coming from the poor-house, wuz too many fur him, but I've did the best I could, and I meant well to both on ye, an' now I can't do no more, and there ain't no doctor here, and there ain't no minister. Ye've allers been a purty good boy, hain't ye? Now don't ye 'spose ye can go out here a little ways behind a tree an' pray? It seems to me, if I was the Lord, I should pay 'tention to what a little feller like you was sayin'. There ain't nobody here but you to do it, now, ye know; I can nuss yer pa, and fix his vittles, and set up with 'im nights, but I can't pray. I wasn't brung up to it. Now, ef ye'll do this, I won't ax ye to do nothin' else. (*Harry bursts into a fit of uncontrollable weeping, throws his arms around Jim's neck, and sobs away his almost hysterical passion, and then quietly goes away. Jim takes off his cap and bows his head as if he were in church. In a few minutes, the lad reappears and approaches Jim, and Jim says to himself, Now if that won't do it ther' won't nothin'. As Harry comes up, Jim embraces him.*) My boy, ye've did the right thing. It's better nor all the nussin', an' ye must do that every mornin'—every mornin', an' don't ye take 'no' for an answer. Now jest go in with me an' see your pa."

SCENE II. *Benedict lying on his bed of boughs. He seems much better, opens his eyes, looks about him, then gazes at Jim, and recognizes him with a smile, and Jim falls on his knees, and hides his face in the blankets. Enter Mike with his head bowed away from the scene. Jim rushes up to him, leaving the boy passionately kissing his father, seizes Mike by the shoulders, and shakes him as if he meant to kill him.*

JIM. "Mike, by the great horned spoons, the little feller has fetched 'im. Get your pa'tridge broth and yer brandy quicker nor lightnin'. Don't talk to me no more about yer priest. I've got a trick worth two o'that."

SCENE III. *Jim and Mike outside the cabin two days after the events of last scene.*

JIM. "Well, Mike, ye've been a godsend. Ye've did more good in a week nor you'll do ag'in in a thousand year. Ye've 'arned yer hundred dollars, an' ye hain't found no pauper, an' ye can tell 'em so. Paul Benedict ain't no pauper, an' he ain't no crazy man, either."

MIKE. "Be gorry ye're right. I kin tell 'em all ye say without lyin'."

JIM. "An' thank yer old woman fur me, an' tell her she's the queen of the huckleberry bushes, an' a jewel to the side o'the road she lives on."

MIKE. "Divil a bit will I do it. She'll be so grand I can't live wid 'er."

JIM. "An' when ye've had yer quarrel, tell her there'll always be a place for her in Number Nine."

ACT VI.

SCENE I. *Robert Belcher's Library. Belcher addresses his image in the mirror.*

BELCHER. "Robert Belcher, Esq., are you played out in Seven Oaks? Who says played out? Am I the subject of that insulting remark? Do you dare to beard the lion in his den? Withdraw the dagger that you've aimed at my credit, or I will not hold myself responsible for the consequences. Played out with a million dollars in your pocket? Played out with wealth rolling in mighty waves? Whose name is Norval, still? Whose are those Grampian Hills? In yonder silent heavens the stars still shine, pointing out in boundless space the worlds of golden promise. Will you leave Seven Oaks? Will you go to yonder metropolis and there, in honor and pleasure, reap the reward of your enterprise? Yes! I will leave Seven Oaks howling in pain. I will leave these scurvy ministers to whine for their salaries, and whine to empty air. Ye fresh fields and pastures new I bid adieu. I spurn the dust of Seven Oaks from my feet. I hail the glories of the distant mart. New York City shall be my abiding place. I make my bow to you, sir. You ask my pardon? It is well, sir."

SCENE II. *Belcher's parlor in New York City. Belcher sits smoking. Enter servant.*

BELCHER. "Well?"

SERVANT. "Please, sir, there's a man outside wishes to see you."

BELCHER. "Show him up."

SERVANT. (*Hesitating.*) "He doesn't smell very well, sir."

BELCHER. "What does he smell of?"

SERVANT. "Rum, sir, and several things."

BELCHER. "Send him away, then."

SERVANT. "I tried to, sir, but he says he knows you, and wants to see you on particular business."

BELCHER. "Send him in." (*Enter Sam Yates. He looks as though he had just come out of the gutter, but through all appears the wreck of a good face and a head still grand in its outline.*)

BELCHER. (*In disgust.*) "Well, you look as if you were waiting to be damned."

YATES. (*Solemnly.*) "I am, sir."

BELCHER. "Very well; consider the business done, so far as I am concerned, and clear out."

YATES. "I am the most miserable of men, Mr. Belcher."

BELCHER. "I believe you; and you'll excuse me if I say that your appearance corroborates your statement."

YATES. "And you don't recognize me? Is it possible! (*And maudlin tears come into his eyes.*) You knew me in better days, sir." (*His voice trembles.*)

BELCHER. "No; I never saw you before. That game won't work, and now be off."

YATES. (*Wiping his eyes with his coat sleeve.*) "And you don't remember Yates—Sam Yates—and the happy days we spent together in childhood?"

BELCHER. "Do you pretend to say that you are Sam Yates, the lawyer?"

YATES. "The same, at your service."

BELCHER. "What brought you to this?"

YATES. "Drink and bad company, sir."

BELCHER. "And you want money?"

YATES. "Yes." (*with a fierce hiss.*)

BELCHER. "Do you want to earn money?"

YATES. "Anything to get it."

BELCHER. "Anything to get drink, I suppose. You said 'anything.' Did you mean that?"

YATES. (*Knowing that the last question meant a great*

deal.) "Lift me out of the gutter, and keep me out, and command me."

BELCHER. "I have a little business on hand that you can do, provided that you will let drink alone—a business that I am willing to pay for. Do you remember a man by the name of Benedict—a shiftless, ingenious dog, who once lived in Seven Oaks?"

YATES. "Yes, very well."

BELCHER. "Should you know him again, were you to see him?"

YATES. "I think I should."

BELCHER. "Do you *know* you should? I don't want any thinking about it. Could you swear to him?"

YATES. "Yes; I don't think it would trouble me to swear to him."

BELCHER. "If I were to show you some of his handwriting do you suppose that would help you any?"

YATES. "It might."

BELCHER. "I don't want any 'mights.' Do you *know* it would?"

YATES. "Yes."

BELCHER. "Do you want to sell yourself—body, soul, brains, legal knowledge, everything—for money?"

YATES. "I've sold myself already at a smaller price, and I don't mind withdrawing from the contract for a better."

BELCHER. "To-morrow morning I want you to come here clean, and dressed in the clothes that this paper will give you. (*Handing Yates an order on a clothier, for a good suit of clothes.*) If you drink one drop before that time, I will strip the clothes from your back. Come to this room and get a decent breakfast. Remember that you can't fool me, and that I'll have none of your nonsense. If you are to serve me, and get any money out of it, you must keep sober."

YATES. "I can keep sober—for a while—anyway."

BELCHER. "Now, be off; and remember, that if you are true to me, I can be of use to you. If you are not, I will kick you into the street."

YATES. (*Tottering to his feet.*) "I'm ashamed to say that you may command me. I should have scorned it once, but my chance is gone, and I could be loyal to the devil himself—for a consideration." (*Exit Belcher 2 L. E., and Yates, 2 R. E.*)

SCENE III. *Belcher's Library, and Belcher sitting in a chair smoking. Enter Sam Yates, well dressed.*

BELCHER. "Well, where did you get your clothes? Come, now, give me the name of your tailor. I'm green in the city, you see. (*Yates tries to smile, but it is a failure.*) What did you take for a night cap last, eh?"

YATES. "I give you my word of honor, sir, that I have not taken a drop since I saw you."

BELCHER. "Word of honor! Ha! ha! ha! Do you suppose I want your word of honor? Do you suppose I want a man of honor, anyway? If you come here to talk about honor, you are no man for me. That's a sort of nonsense that I have no use for."

YATES. (*Desperately.*) "Very well; my word of dishonor."

BELCHER. "Now you talk. There's no use of such a man as you putting on airs, and forgetting that he wears my clothes and fills himself at my table."

YATES. "I do not forget it, sir, and I see that I am not likely to."

BELCHER. "Not while you do business with me; and now sit down and hear me. The first thing you do is to ascertain whether Paul Benedict is dead. It isn't necessary that you should know my reasons. You are to search every insane hospital, public and private, in the city, and every almshouse. Put on your big airs and play philanthropist. Find all the records of the past year—the death records of the city—everything that will help to determine that the man is dead, as I believe he is. This will give you all you want to do for the present. The man's son is in the city, and the boy and man left the Seven Oaks poor-house together. If the man is alive, he is likely to be near him. If he is dead, he probably died near him. Find out, too, if you can, when his boy came to live with Balfour over the way, and where he came from. You may stumble upon what I want very soon, or it may take you all winter. If you should fail then, I shall want you to take the road to Seven Oaks, and even to Number Nine, looking into all the almshouses on the way. The great point is to find out whether he is alive or dead, and to know, if he is dead, where and exactly when he died. In the meantime, come to me every week with a written report of what you have done, and get your pay. Come always after dark, so that none of Balfour's people can see you. Begin the business,

and carry it on in your own way. You are old and sharp enough not to need any aid from me, and now be off." (*Exit Yates 2 R. E., with the roll of bills given him by Belcher.*)

ACT VII.

SCENE I. *Jim Fenton's cabin at Number Nine. Benedict and Jim, conversing. Enter Sam Yates 2 R. E.*

YATES. "Gentlemen, how do you do? Are either of you gentlemen Jim Fenton?"

JIM. "That's me. Them as likes me calls me Jim, and them as don't like me,—wall, they don't call me."

YATES. "Well, I've called, and I call you Jim."

JIM. "All right; let's see yer tackle. (*Jim takes the rod and looks it over.*) When ye come from Seven Oaks, you didn't think o' goin' a fishing. This 'ere tackle wasn't brung from the city, an' ye ain't no old fisherman. Ye got this at Seven Oaks."

YATES. (*Flushing.*) "No, I thought I would find tackle here, so I didn't burden myself."

JIM. "That seems reasonable, but it ain't. Ye never fished with anything but a birch pole in yer life." (*Yates laughed, but Jim was angry.*)

YATES. "Jim, introduce me to your friend here." (*Turning to Mr. Benedict.*)

JIM. "Well, I call him Number Ten, and his name is Williams, an' now if ye ain't too tired, perhaps ye'll tell us what they call ye to home."

YATES. "Well, I'm Number Eleven, and my name's Williams, too." (*Turns laughingly to Benedict, shakes his hand, and hopes for a better acquaintance. Jim was puzzled, and believed the man was there for a purpose, and that purpose had nothing to do with sport.*)

JIM. "If yer name is Williams, jest tell us what brung yer here."

YATES. "A pair of horses and a birch canoe."

JIM. "Oh! I didn't know but 'twas a mule and a bannanner hankercher. Whar ye goin' to sleep to-night?"

YATES. "In a canoe, I suppose, if some hospitable man doesn't invite me to sleep in his cabin."

JIM. "An' if ye sleep in his cabin, what be ye goin' to do to-morrer?"

YATES. "Git up."

JIM. "An' clear out?"

YATES. "Not a bit of it."

JIM. "Well, I like to see folks make themselves to home; but ye don't sleep in no cabin o' mine till I know who ye be, an' what ye're arter."

YATES. "Jim, did you ever hear of entertaining angels unaware?"

JIM. "No, but I've hearn of angels entertainin' their-selves on tin-ware, an' I've had 'em here."

YATES. "Do you have tin-peddlers here?"

JIM. "No, but we have paupers sometimes." (*Looking Yates directly in the eye.*)

YATES. "What paupers?"

JIM. "From Seven Oaks."

YATES. "And do they bring tin-ware?"

JIM. "Sartin they do; leastways one of 'em did, an' I never seen but one in the woods, an' he come here one night tootin' a tin horn, an' blowin' about bein' the angel Gabr'el."

YATES. "What became of him."

JIM. "I skeered 'im, an' he went off into the woods per-tendin' to catch a bullet. That's the kind of ball I allers use when I have a little game with a rovin' angel that comes kadoodlin' round me."

YATES. "Did you ever see him afterwards?"

JIM. "Onc't; that is, his bones. But I guess he'd gone off to play angel somewhere else."

YATES. (*With eagerness.*) "Jim, can you show me his bones, and swear to your belief that he was an escaped pauper?"

JIM. "Easy."

YATES. "Was there a man lost from the poor-house about that time?"

JIM. "Yes, an' ther' was a row about it, an' arterward old Buffum was took with knowin' less than he ever know'd afore. He always did make a fuss about breathin', so he give it up."

YATES. "Well, the man you buried is the man I'm after."

JIM. "Yes, an' old Belcher sent ye. I know'd it. I smelt the old feller when I hearn yer paddle. When a feller works for the devil, it ain't hard to guess what sort of a angel *he* is. Ye must feel mighty proud of yer belong-ins."

YATES. "Jim, I'm a lawyer; it's my business. I do what I'm hired to do."

JIM. "Well, I don't know nothin' about lawyers, but I'd rather be a natural born cuss nor a hired one."

YATES. "Jim, I see that I'm not welcome, but I bear you no ill will. If you will sign a certificate of the statements you have made to me, I will leave you at once. I do not respect Robert Belcher any more than you do. I shall evade making a direct report to him, and give up the business that he employed me to do. I shall settle down in Seven Oaks and practice my profession. I am out of the gutter, and will keep out. (*Jim signs paper.*) Good-day." (*Exit 2 R. E.*)

ACT VIII.

SCENE I. *Office of Lawyer Cavendish. Enter Robert Belcher 1 R. E.*

CAVENDISH. "Good morning, sir. Sit down." (*Assuming an extreme judicial bearing.*)

BELCHER. "I am Robert Belcher, of this city, and have called on you, Mr. Cavendish, in relation to some legal business."

C. "Well, Mr. Belcher, what can I do for you?"

B. "I am likely to have a little scrimmage, and I shall want your help, Mr. Cavendish. (*Handing a check to the lawyer, who merely glances at it and drops it into a drawer as if it were a dime.*) It's a thousand dollars."

C. "I see—a retainer—thanks! (*Eyeing Belcher with his hawk eyes, and working his scalp backward and forward.*) What is the case, General?"

B. (*Draws from his pocket a forged assignment, and passes it into the hands of Mr. Cavendish.*) Is that a legally-constructed document?"

C. (*Reads it carefully, looks on the back, scans the signatures, and passes it back to Mr. Belcher.*) The construction is absolutely perfect. Of course, I know nothing about the signatures. Is the assignor living?"

B. "That's precisely what I don't know. I supposed him to be dead for years. I have now reason to suspect that he is living."

C. "Have you been using these patents?"

B. "Yes, and I've made piles of money on them?"

C. "Is your right contested?"

B. No; but I have reason to believe that it will be."

C. (*Sharply.*) "What reason?"

B. (*Puzzled.*) "Well, the man has been insane, and has forgotten, very likely, what he did before his insanity. I have reason to believe that such is the case, and that he intends to contest my right to the inventions which this paper conveys to me."

C. "What reason now?"

B. I know the man."

C. "Who is his lawyer?"

B. "Balfour."

C. (*Startled.*) "Let me see that paper again. (*Looks it through, and then says, dryly*) I know Balfour. He is a shrewd man, and a good lawyer, and unless he has a case, or thinks he has one, he will not fight this document. What deviltry there is in it, I don't know, and I don't want you to tell me. I can tell you that you have a hard man to fight. Where are these witnesses?"

B. "Two of them are dead, one of them is living, and is now in the city."

C. "What can he swear to?"

B. "He can swear to his own signature, and to all the rest. He can relate and swear to all the circumstances attending the execution of the paper."

C. "And you know that these rights were never previously conveyed?"

B. "Yes, I know they never were."

C. "Then, mark you, General, Balfour has no case at all—provided this isn't a dirty paper. If it is a dirty paper, and you want me to serve you, keep your tongue to yourself. You've recorded it, of course."

B. (*In undisguised alarm.*) "Recorded it?"

C. "You don't mean to tell me that this paper has been in existence more than six years, and has not been recorded?"

B. "I didn't know it was necessary."

C. "It isn't worth that! (*Snapping his finger. He then takes the check from the drawer, and hands it back to Belcher.*) There's no case, and I don't want your money."

B. (*Fiercely.*) "But there is a case. Do you suppose I am going to be cheated out of my rights without a fight? I'm no chicken, and I'll spend half a million before I will give up my rights."

C. (*Laughing.*) "Well, go to Washington, and attend

to the matter. If no one has been ahead of you, you're all right as far as this is concerned. But Balfour is no chicken, and knows what he's about. Why has he not been down upon you before this? Simply because he saw that you were making money for his client, and he preferred to take it all out of you in a single slice. I know Balfour, and he carries a long head. Chicken!"

B. (*Much excited.*) "Before they get through with General Belcher, they will be disgusted with the campaign, curse them!"

C. "There is no use of this sort of thing, General. Go to Washington, and if you find that no one has been before you on the records, come to me, and when you come you may as well multiply that check by ten. When I undertake anything of this kind, I like to provide myself against all contingencies."

B. "You lawyers put the lancet in pretty deep."

C. (*Sneeringly.*) "Our clients never do."

SCENE II. *Belcher in his library. Enter servant with letter. Belcher breaks the seal, and reads:—*

"To Robert Belcher, Esq. :—

"In behalf of my principal, Mr. Paul Benedict, I respectfully request you to pay over to him an equitable share of the profits upon his patented inventions, and to enter into a definite contract for the further use of them.

"JAMES BALFOUR."

BELCHER. (*Laughs derisively, and soliloquizes.*) "Milk for babes. (*Laughs again.*) Balfour is a coward, or else he feels his case to be a weak one. Does he think the General is a fool?" (*Writes a few moments, and then reads what he has written.*)

"To James Balfour, Esq. :—

"Your letter of this date received, and contents noted. Permit me to say in reply,—

"1. That I have no evidence that you are Paul Benedict's attorney.

"2. That I have no evidence that Paul Benedict is living, and that I do not propose to negotiate in any way, or on any business, with a fraud, or a man of straw.

"3. That I am the legal assignee of all the patents originally issued to Paul Benedict, which I have used, and am

now using. I hold his assignment in the desk on which I write this letter, and it stands duly recorded in Washington, though, from ignorance of the law, it has only recently been placed upon the books in the Patent Office.

“Permit me to say, in closing, that, as I bear you no malice, I will show you the assignment at your pleasure, and thus relieve you from the danger of entering upon a conspiracy to defraud me of rights which I propose, with all the means at my disposal, to defend.

“Yours,

ROBERT BELCHER.”

(He reads over the letter, then rings the bell. Enter servant. He hands the servant the letter, with orders to deliver it to Mr. Balfour. Disposes himself into an easy attitude for a smoke. In a few moments Mr. Balfour enters.)

BALFOUR. “You were kind enough to offer to show me the assignment of Mr. Benedict’s patents. I have called to see it.”

BELCHER. “I have changed my mind.”

BALFOUR. “Do you suspect me of wishing to steal it?”

BELCHER. “No ; but the fact is, I wrote my note to you without consulting my lawyer.”

BALFOUR. “I thought so. Good-day, sir.”

BELCHER. “No offense, I hope.”

BALFOUR. “Not in the least.” *(Exit Balfour. Belcher sees that he has made a mistake.)*

ACT IX.

SCENE I. *The court room. Sitting within the bar is James Balfour, calmly examining his papers. He looks up among the assembled jurors, witnesses, and idlers, and beckons Paul Benedict, his client, to his side. Within the bar also sits Robert Belcher and his counsel, Mr. Cavendish. Mr. Balfour gathers his papers before him, and rises to make the opening for the prosecution.*

BALFOUR. “May it please the Court, and gentlemen of the jury, I have to present you a case, either issue of which it is not pleasant for me to contemplate. Either my client or the defendant will go out of this court, at the conclusion of this case a blackened man ; and as I have a warm friendship for one of them, and bear no malice to the other, I am

free to confess that while I seek for justice, I shrink from the results of its vindication." (*Interrupted by Cavendish.*)

CAVENDISH. (*Spitefully.*) "I beg the gentleman to spare his hypothetical sentiment. It is superfluous, so far as my client is concerned, and offensive."

BALFOUR. (*Calmly.*) I take no pleasure in making myself offensive to the defendant and his counsel, but if I am interrupted again I shall be compelled to call things by their right names. I see other trials at the conclusion of this action. There is something more than money involved in the issue of this action, and I repeat, that either my client or the defendant will go out of this court wrecked in character, blasted in reputation, utterly ruined. The terms of the bill and the answer determine this result. The plaintiff in this case brings an action for damages, in the sum of half a million of dollars, for the infringements of various patent rights. I shall prove to you that these patents were issued to him as the first and only inventor; that he has never assigned them to any one; that they have been used by the defendant for from seven to ten years, to his great profit; that he is using them still without a license, and without rendering a just consideration for them. I shall prove to you that the plaintiff was driven to insanity by the perplexities he suffered through the persecutions of the defendant, and that even after he became insane, the defendant tried to secure the execution of the assignment which he had sought in vain during the sanity of the patentee. The answer to the complaint alleges the disappearance and death of Benedict, declaring the plaintiff to be an imposter, averring the assignment of all the patents in question to the defendant, and denies the profits. First, therefore, I offer in evidence certified copies of the patents in question." (*The documents are examined by Mr. Cavendish and the Court. Paul Benedict is then called as the first witness. He takes the stand.*)

BALFOUR. "What is your name?"

WITNESS. "Paul Benedict."

BALFOUR. "Where were you born?"

BENEDICT. "In the city of New York."

BALFOUR. "Are you the inventor of the machines, implements, and processes named in the documents from the Patent Office." (*Handing him the papers. Benedict reads them.*)

BENEDICT. "I am, sir."

BALFOUR. "Are you the only owner of these patent rights?"

BENEDICT. "I am, sir."

BALFOUR. "What is your profession?"

BENEDICT. "I was trained for a mechanical engineer."

BALFOUR. "What has been your principal employment?"

BENEDICT. "Invention."

BALFOUR. "When you left New York, where did you go?"

BENEDICT. "To Seven Oaks."

BALFOUR. "How many years ago was that?"

BENEDICT. "Eleven or twelve, I suppose."

BALFOUR. "Now I want you to tell the Court in a plain, brief way, the history of your life in Seven Oaks, giving in sufficient detail an account of all your dealings with the defendant in this case, so that we may understand how your inventions came into Mr. Belcher's hands, and why you have never derived any benefit from them." (*Benedict hesitates. Cavendish notices it, and is on his feet in an instant.*)

CAVENDISH. "May it please the court, there is a question of identity that comes up at this point, and I beg the privilege of asking it here." (*The Judge looks at Mr. Balfour.*)

BALFOUR. "Certainly."

CAVENDISH. "I would like to ask the witness whether he is the Paul Benedict who left the city about the time at which he testifies that he went away, in consequence of his connection with a band of counterfeiters. Did you, sir, invent their machinery, or did you not?"

BENEDICT. (*His face all aflame.*) "I did not." (*Cavendish gives a significant glance at his client, whose face blooms a brutal smile, and then sits down.*)

BALFOUR. (*Very composedly.*) "Is that all?"

CAVENDISH. (*Sneeringly.*) "All for the present."

BALFOUR. "May it please the Court, I hope I may be permitted to say that the tactics of the defendant are worthy of his cause. (*Turns to Mr. Benedict.*) I trust the witness will not be disturbed by the insult that has been gratuitously offered him, and will tell the history that I have asked him to tell."

BENEDICT. "When I first went to Seven Oaks, I was very poor, as I have been ever since. I visited Mr. Belcher's mill, and saw the chance for improvements in his machines and processes, and informed him of the advantage my inventions would be to him. He furnished me with money for my work, and to pay for the patent rights, and gave me a verbal promise that I should share in the

profits that might accrue from their use. He kept me at work until he had secured everything he wished for. In the meantime, I suffered for the lack of the necessities of life, and was fed continually on promises. He declared that the patents were nearly useless to him, and demanded, as a consideration for the money he had advanced me, the assignments of all my patents to him. My little boy was born during these troubles, and on account of the privations she suffered, my wife never saw a well day again. She died at last, and in the midst of my deepest troubles, Mr. Belcher pursued me with his demands for the assignment of my patents. He still held me to him by the bestowal of small sums, which necessity compelled me to accept. He always had a remarkable power over me, and I felt that he would lead me to destruction. I saw nothing but starvation before me and my child, and went down into a horror of great darkness." (*A cold shiver runs over him.*)

BALFOUR. "What then?"

BENEDICT. "I hardly know. For years I was insane. I went to the hospital, and was there supported by Mr. Belcher. He even followed me there, and endeavored to get my signature to an assignment, but was positively forbidden by the superintendent of the asylum. Then, after being pronounced incurable, I was sent back to the Seven Oaks' almshouse, where, for a considerable time, my boy was kept; and from that horrible place, I escaped. I remember it all as a long dream of torture. My cure came in the woods, at Number Nine, where I have ever since lived, and where twice I have been sought and found by paid emissaries of Mr. Belcher, who did not love him well enough to betray me. And, thanks to the ministry of the best friends God ever raised up to man, I am here to-day to claim my rights."

BALFOUR. "These rights you say you have never assigned?"

BENEDICT. "Never."

BALFOUR. "Please tell me what you know about Mr. Belcher's profits on the use of these inventions."

BENEDICT. "I cannot tell much. I do not think he would have been so anxious to own them if they had not been largely profitable to him. By the cheapness with which he produced his manufactures, he became rapidly rich, because able to hold the market, and force his competitors into bankruptcy."

BALFOUR. "That is all, Mr. Benedict."

JUDGE. "Does the counsel for the defendant wish to cross-examine the witness?"

CAVENDISH. "May it please the Court, the counsel for the defense regards the examination so far simply a farce. We do not admit that the witness is Paul Benedict, at all,—or rather, the Paul Benedict named in the patents, certified copies of which are in evidence. This man has long been regarded as dead. He stands unrecognized by witnesses now in this room, who knew Paul Benedict during all his residence in Seven Oaks. I cannot cross-examine the witness without recognizing his identity with the Paul Benedict named in the patents. There is nothing but a pretender in Court, may it please your honor, and I decline to have anything to do with him."

JUDGE. "It seems to the Court, gentlemen, that this question of identity should be settled as an essential preliminary to further proceedings."

BALFOUR. "May it please your honor, I did not suppose it possible, after the plaintiff had actually appeared in court, and shown himself to the defendant, that this question of identity would be mooted or questioned. The defendant must know that I have witnesses here—that I would not appear here without competent witnesses—who will place his identity beyond question. It seems, however, that this case is to be fought inch by inch, on every possible ground. As a first witness upon this point, I shall call James Fenton."

JIM. (*On a distant seat.*) "Jest call me Jim." (*He advances to the stand with rampant alacrity, his hair standing straight in the air.*)

CLERK. "Hold up your right hand."

JIM. "Sartin. Both on 'em if ye say so."

CLERK. "You solemnly affirm that the evidence you shall give in this litigation in which Paul Benedict is plaintiff and Robert Belcher defendant shall be the truth, the whole truth, and nothing but the truth."

JIM. "Thank ye."

BALFOUR. "James Fenton——."

JIM. (*Interrupting.*) "Jest call me Jim. I ain't no prouder here nor I be at Number Nine."

BALFOUR. "Very well, Jim, tell us who you are."

JIM. "I'm Jim Fenton, as keeps a hotel at Number Nine. My father was an Englishman, my mother was a Scotchman, I was born in Ireland, an' raised in Canady, an' I've lived in Number Nine for more nor twelve year, hunt-

in', trappin', an' keepin' a hotel. I hain't never been educated, but I can tell the truth when it is necessary, an' I love my friends an' hate my enemies."

CAVENDISH. "May it please the Court, I beg to suggest to the plaintiff's counsel that the witness shall be required to give his religious views." (*Belcher laughs.*)

BALFOUR. "Certainly. What are your religious views, Jim?"

JIM. "Well, I hain't got many; but I sh'd be s'prised if there wasn't a brimstone mine on t'other side, with a couple o' picks in it for old Belcher an' the man as helps 'im." (*The audience roars.*)

CAVENDISH. "That will do. The religious views of the witness are definite and satisfactory."

BALFOUR. "Jim, do you know Paul Benedict?"

JIM. "Well I do. I've knowed 'im ever since he come to Seven Oaks."

BALFOUR. "How did you make his acquaintance?"

JIM. "He used to come into the woods, fishin' an' huntin'. Him an' me was like brothers. He was the curisest creetur I ever seen, an' I hope takes no 'fense in hearin' me say so. Ye've seen his tackle, Mr. Balfour, an' that split bamboo o' his, but the Jedge hasn't seen it. I wish I'd brung it along. Fond of fishin', Jedge?"

JUDGE. (*Smiling.*) "The witness had better be confined to the matter in hand."

JIM. "An' Jedge—no 'fense—but I like yer looks, an' if ye'll come to Number Nine—it's a little late now—I'll—"

CAVENDISH. (*Jumping up fiercely.*) "I object to this trifling."

BALFOUR. "Jim, the defendant's counsel objects to your trifling. He has a right to do so, particularly as he is responsible for starting it. Now tell me whether the Paul Benedict you knew was the only man of the name who has lived in Seven Oaks since you have lived in Number Nine?"

JIM. "He was the only one I ever hearn on. He was the one as invented Belcher's machines, anyway. He's talked about 'em with me a thousand times."

BALFOUR. "Is he in the room?"

JIM. "Mostly." (*With a bland smile.*)

BALFOUR. "Give me a direct answer, now."

JIM. "Yes, he's in this room, and he's settin' there by you, an' he's been stannin' where I stan' now."

BALFOUR. "How do you know that this is the same man

who used to visit you in the woods, and who invented Mr. Belcher's machines?"

JIM. "Well, I don't mind tellin' on it, if it wouldn't be too triflin'." (*With a comical wink at Cavendish.*)

BALFOUR. "Go on and tell it."

JIM. "I know'd Benedict up to the time he lost his mind, and was packed off to the 'sylum, an' I never seen 'im ag'in till I saw him in the Seven Oaks poor-house. I came across his little boy one night, on the hill. He hadn't nothin' on but rags, an' he was as blue an' hungry as a spring b'ar. The little feller teched my feelin's, an' I jest sot down to comfort 'im. He telled me that his pa was at old Buf-fum's, as crazy as a loon. Well, I stayed to old Buffum's that night, an' went into the poor-house in the mornin' with the doctor. I seen Benedict thar, an' know'd him. He was lyin' on straw, an' he hadn't clothes enough on 'im to put in tea. An' says I, Mr. Benedict, give us your benediction; an' says he, 'Jim!' That floored me, an' I jest cried and swar'd to myself. I made a little 'rangement with him to take him to Abram's bosom. Ye see, he thought he was in hell, an' it was a reasonable thing in 'im, too. I took 'im out of the poor-house an' carried 'im to Number Nine, an' cured him. He's lived there ever sence, helped me build my hotel, an' I come down with 'im to tend this Court, an' we brung his little boy along too, an' the little feller's here, an' knows 'im better nor I do."

BALFOUR. "And you declare, under oath, that the Paul Benedict whom you knew at Seven Oaks, and at Number Nine before his insanity, the Paul Benedict who was in the poor-house at Seven Oaks and notoriously escaped from that institution, escaped by your help, has lived with you ever since, and has appeared here in court this morning?"

JIM. "He's the same feller, an' no mistake, if so be he, hain't slipped his skin, an' no triflin'."

BALFOUR. "Did Mr. Belcher ever send into the woods to find him?"

JIM. (*Laughing.*) "Yis, but I choked 'em off."

BALFOUR. "How did you choke them off?"

JIM. "I telled 'em both I'd lick 'em if they ever blowed. They didn't want to blow any, to speak on, but Mike Con-lin come in with a hundred dollars of Belcher's money in his jacket, an' helped me nuss my man for a week, and I got a Happy David out of Sam Yates, that he would keep mum, an' ther's the document." (*Takes the paper from his pocket.*)

BALFOUR. "It is not necessary in the case. That is all, Jim."

CAVENDISH. (*Rising.*) "You helped Mr. Benedict to escape, did you, Jim?"

JIM. "I said so."

CAVENDISH. "Did you steal the key when you were there first?"

JIM. "No; I borrowed it, an' brung it back an' left it in the door."

CAVENDISH. "Did you undo the fastenings of the outside door?"

JIM. "Yes, an' I did 'em up ag'in."

CAVENDISH. "Did you break down the grated door?"

JIM. "I remember 'bout sumthin' squeekin' an' givin' way; but it was purty dark, an' I couldn't see 'zactly what wuz a goin' on."

CAVENDISH. "Oh, you could n't! We have your confession, then, that you are a thief and a burglar, and that you could n't see the man you took out."

JIM. "Well, now, squar, that won't help ye any. Benedict is the man as got away, an' I saved the town the board o' two paupers, an' the cost o' two pine coffins, an' sent ole Buffum where he belonged, an' nobody cried but his pertickler friend as sets next to ye."

CAVENDISH. "I beg the Court's protection for my client, against the insults of this witness."

JIM. "When a man calls Jim Fenton a thief an' a bug-gler, he must take what comes on't. Ye may thank yer everlastin' stars that ye didn't say that to me in the street, fur I should 'a licked ye. I'd 'a fastened that slippery old scalp o' yourn tighter nor a drum-head. One taste o' the animal substance thar is in this conglomeration of bone an' gristle will make ye a full meal without any condiments or sarse."

JUDGE. (*Peremptorily.*) "Witness, you forget where you are, sir. You must stop these remarks, or I will commit you for contempt of Court."

JIM. "Jedge, look 'ere! I hev no contempt fur ye, Jedge, but I hev fur a sneakin' pettifogger. When a man is insulted by a lawyer in court, what can he do? I'm a reasonable man, but I can't take anybody's sarse. It does seem to me as if a lawyer as snubs a witness, an' calls 'im names, wants dressin' down, too. Give Jim Fenton a fair shake, an' he's all right." (*The Court, lawyers, jury, and audience are amused by Jim's irrepressible tongue.*)

CAVENDISH. "May it please the Court, after the dis-

graceful confessions of the witness, and the revelation of his criminal character, it will not comport with my own self-respect to question him further."

JIM. (*With a comical smile.*) "Paddlin' off, eh?"

JUDGE. "Witness, be silent, and step down."

JIM "No 'fense, Jedge, I hope?"

JUDGE. "Step down, sir."

BALFOUR. "Helen Dillingham!" (*Mrs. Dillingham takes the stand.*)

JUDGE. (*With a courteous bow and gesture.*) "Mrs. Dillingham, will you have the kindness to remove your veil?" (*The veil is quietly removed.*)

BALFOUR. "Mrs. Dillingham, where do you reside?"

MRS. DILLINGHAM. "In this city, sir."

BALFOUR. "Have you always lived here?"

MRS. D. "Always."

BALFOUR. "Do you know Paul Benedict?"

MRS. D. "I do, sir."

BALFOUR. "How long have you known him?"

MRS. D. "From the time I was born until he left New York, after his marriage."

BALFOUR. "What is his relation to you?"

MRS. D. "He is my brother, sir."

(*This answer so confounds Belcher that he entirely loses his self-possession. His face grows red, his eyes are wild, and raising his clenched fist, he brings it down with a powerful blow upon the table before him, and exclaims, "My God!" The Judge and all are astonished.*)

CAVENDISH. (*Rising.*) "I beg the Court to overlook my client's excitement, as he was evidently taken off his guard."

BALFOUR. "Paul Benedict is your brother, you say?"

MRS. D. "He is, sir."

BALFOUR. "What was his employment before he left New York?"

MRS. D. "He was an inventor from his childhood, and received a careful education in accordance with his mechanical genius."

BALFOUR. "Why did he leave New York?"

MRS. D. "I am ashamed to say that he left in consequence of my own unkindness."

BALFOUR. "What was the occasion of your unkindness?"

MRS. D. "His marriage with one whom I did not regard as his own social equal, or mine."

BALFOUR. "What was her name?"

MRS. D. "Jane Kendrick."

BALFOUR. "How did you learn that he was alive?"

MRS. D. "Through his son, whom I invited into my house, after he was brought to this city by yourself."

BALFOUR. "Have you recently visited the cemetery at Seven Oaks?"

MRS. D. "I have, sir."

BALFOUR. "Did you see the grave of your sister-in-law?"

MRS. D. "I did."

BALFOUR. "Was there a headstone upon the grave?"

MRS. D. "There was a humble one."

BALFOUR. "What inscription did it bear?"

MRS. D. "Jane Kendrick, wife of Paul Benedict."

BALFOUR. "When and where did you see your brother first, after your separation?"

MRS. D. "Early last summer, at a place called Number Nine."

BALFOUR. "Did you recognize him?"

MRS. D. "I did, at once."

BALFOUR. "Has anything occurred in the intercourse of the summer, to make you suspect that the man whom you recognized as your brother was an impostor?"

MRS. D. "Nothing. We have conversed with perfect familiarity on a thousand events and circumstances of our early life. I know him to be my brother as well as I know my own name, and my own identity."

BALFOUR. "That is all."

CAVENDISH. "Mrs. Dillingham, you were glad to find your brother at last, were you not?"

MRS. D. "Very glad, sir."

C. "Why?"

MRS. D. "Because I was sorry for the misery which I had inflicted upon him, and to which I had exposed him."

C. "You were the victim of remorse, as I understand you?"

MRS. D. "Yes, sir, I suppose so."

C. "Were you conscious that your condition of mind unfitted you to discriminate? Were you not so anxious to find your brother in order to quiet your conscience, that you were easily imposed upon?"

MRS. D. "No, sir, to both questions."

C. "Well, madam, such things have happened. Have you been in the habit of receiving Mr. Belcher at your house?"

MRS. D. "I have."

C. "You have been in the habit of receiving gentlemen rather indiscriminately at your house, haven't you?"

BALFOUR. "I object to that question. It carries a covert insult to the witness. (*Mrs. Dillingham bows to Mr. Balfour in acknowledgment of the courtesy, but answers the question.*)

MRS. D. "I have received you, sir, and Mr. Belcher. I may have been indiscriminate in my courtesies. A lady living alone cannot always tell, and is liable to be imposed upon."

C. "Did you know before you went to Number Nine that your brother was there?"

MRS. D. "I did, and the last time but one at which Mr. Belcher called upon me, I informed him of the fact."

C. "That your brother was there?"

MRS. D. "No; that Paul Benedict was there."

C. "How did you know he was there?"

MRS. D. "His little boy wrote me from there, and told me so."

C. (*Baffled.*) "I have no more questions to ask."

(*Mrs. Dillingham draws down her veil, and walks to her seat.*)

BALFOUR. "Harry Benedict! (*Harry takes the stand.*) Harry, do you know what an oath is?"

HARRY. "Yes, sir. It is a solemn promise to tell the truth and act the truth."

B. "Do you always tell the truth?"

H. "Yes, sir."

B. "Why?"

H. "Because it would offend my pa and my heavenly Father if I told a lie. And I want to do right, too."

JUDGE. "The lad's answers are perfectly satisfactory."

B. "Harry, were you ever in Mr. Belcher's house?"

H. "Yes, sir."

B. "Tell us how it happened that you were there."

H. "Mr. Belcher stopped me in the street, and led me up the steps, and then up stairs into his room."

B. "What question did he ask you?"

H. "He asked whether my father was alive."

B. "Did he offer you money if you would tell?"

H. "Yes, sir; he offered me a great gold piece of money, and told me it was an eagle."

B. "Did you take it?"

H. "No, sir."

B. "Did he threaten you?"

H. "He tried to scare me, sir."

B. "Did he tell you that he should like to give your father some money?"

H. "Yes, sir."

B. "And did you tell him that your father was alive?"

H. "No, sir; I ran away." (*Harry cannot restrain a laugh at the remembrance of the scene.*)

B. "Harry, is your father in this room?"

H. (*Looking at his father with a smile.*) "Yes, sir."

BALFOUR. "Now, Harry, I want you to pick him out from all these people. Be sure not to make any mistake. Mr. Belcher has been so anxious to find him that I presume he will be very much obliged to you for the information. Go and put your hand on him." (*Harry starts at a run, and dodging around the end of the bar, throws himself into his father's arms, puts his arms around his neck, and hugs him affectionately, bursting into a peal of boyish laughter.*)

JUDGE. "Does the counsel for the defense wish to cross-examine the witness?"

CAVENDISH. (*With a nod.*) "I believe not." (*Harry goes to his seat at the side of Jim Fenton, who hugs him so that he almost screams.*)

JIM. (*In a loud whisper to Harry.*) "Ye're a brick, little feller. That was a happy David an' a Goliar into the bargain. You've knocked the Ph'listine this time higher nor a kite."

CAVENDISH. "May it please the Court, I have witnesses here ready to testify that they knew Paul Benedict during residence in Seven Oaks, but that the plaintiff in this case is an entire stranger to them. But I comprehend the disadvantage at which I stand, with only negative testimony at my command. I am convinced that my client is wronged, but I shall be compelled to accept the identity of the plaintiff. I will here recapitulate the points in the answer to the complaint: The first is, that Paul Benedict is dead or missing. This position, as I have said, we abandon. The second is the assignment, to my client, of all the patents in question; and the last is the denial of any profits accruing to my client from the use of said patents. The next question at issue is, whom does the title to these patents rests in? and I propose that we proceed at once to its trial. First, I wish to cross-examine the plaintiff." (*Paul Benedict again takes the stand.*)

CAVENDISH. "Witness, you pretend to be the owner of the patents in question in this case, and the inventor of the

machines, implements, and processes which they cover, do you?"

BALFOUR. (*Spitefully.*) "I object to the form of the question. It is an insult to the witness, and a reflection upon the learned counsel's own sincerity in accepting the identity of the plaintiff."

CAVENDISH. "Very well, since the plaintiff's counsel is so difficult to please! You are the owner of these patents, are you?"

BENEDICT. "I am, sir."

CAVENDISH. "You have been insane, have you, sir?"

BENEDICT. "I suppose I have been, sir. I was very ill for a long time, and have no doubt that I suffered from mental alienation."

CAVENDISH. "What is your memory of things that occurred immediately preceding your insanity?"

BENEDICT. "It is very much confused, sir."

CAVENDISH. "Oh, it is! I thought so! Then you cannot swear to the events immediately preceding your attack?"

BENEDICT. "I am afraid I cannot, sir, at least, not in their order or detail."

CAVENDISH. "No! I thought so! (*In a contemptuous manner and rasping voice.*) I commend your prudence. Now, witness, if some of your neighbors should assure you that on the day previous to your attack you did a certain thing, which you do not remember to have done, what would you say?"

BENEDICT. "If they were credible people, and not unfriendly to me, I should be compelled to believe them."

CAVENDISH. "Why, sir, you are an admirable witness! We are getting at the matter bravely. Did you ever know Nicholas Johnson and James Ramsey?"

BENEDICT. "Yes, sir."

CAVENDISH. "Where did you see them last?"

BENEDICT. "In Mr. Belcher's library at Seven Oaks."

CAVENDISH. "On what occasion, or rather, at what time?"

BENEDICT. "I have sad reason to remember both the occasion and the date, sir. Mr. Belcher had determined to get my signature to an assignment, and had got me to his house on another pretext entirely. I suppose he had summoned these men as witnesses."

CAVENDISH. "Where are these men now?"

BENEDICT. "Unhappily, they are both dead."

CAVENDISH. "Yes, unhappily for my client. Was there anybody else in the room?"

BENEDICT. "I believe that Phipps, Mr. Belcher's man, was going and coming."

CAVENDISH. "Why, your memory is excellent. Give us the date, if you please."

BENEDICT. "It was the 4th of May 1860."

CAVENDISH. "How confused you must have been!"

BENEDICT. "These are things that were burnt into my memory. There were other occurrences that day, of which I have been informed, but of which I have no recollection."

CAVENDISH. "Ah, there are! Well, I shall have occasion to refresh your mind upon still another before I get through with you. Now, if I should show you an assignment, signed by yourself on the very day you have designated, and also signed by Johnson, Ramsey, and Phipps as witnesses, what should you say to it?"

BALFOUR. "I object to the question. The counsel should should show the document to the witness, and then ask his opinion of it."

JUDGE. "The opinion of the Court coincides with the views of the counsel for the plaintiff."

CAVENDISH. "Very well, we shall get at that in good time. Now, witness, will you be kind enough to tell me how you remember that all this occurred on the 4th of May, 1860?"

BENEDICT. "It happened on the first anniversary of my wife's death. I went from her grave to Mr. Belcher's house. The day was associated with the saddest and most precious memories of my life."

CAVENDISH. (*Rubbing his white hands together.*) "What an excellent memory! Are you familiar with the signatures of Nicholas Johnson and James Ramsey?"

BENEDICT. "I have seen them many times."

CAVENDISH. "Would you recognize them if I were to show them to you?"

BENEDICT. "I do n't know, sir."

CAVENDISH. "Oh! your memory begins to fail now, does it? How is it that you cannot remember things with which you were familiar during a series of years when you were perfectly sane, and yet can remember things so well that happened when your mind was confused? (*Benedict's mind becomes confused again, and he begins to stammer. Cavendish rummages among his papers, and withdraws two letters, which he hands to the witness.*) Now will the witness exam-

ine these letters, and tell us whether he recognizes the signatures as genuine?"

BENEDICT. (*After carefully examining the letters and their signatures.*) "I think they are genuine autograph letters, both of them."

CAVENDISH. "Thank you; now please hand them back to me."

BALFOUR. "I have special reasons for requesting the Court to impound these letters. They will be needed again in the case."

JUDGE. "The witness will hand the letters to the clerk." (*Cavendish is annoyed, but acquiesces gracefully.*)

CAVENDISH. "Witness, I hold in my hand a document signed, sealed, and witnessed on the 4th day of May, 1860, by which Paul Benedict conveys to Robert Belcher his title to the patents, certified copies of which have been placed in evidence. I want you to examine carefully the signatures of yourself and those of Johnson and Ramsey. Happily one of the witnesses to the assignment is still living, and is ready, not only to swear to his own signature, but to yours and those of the other witnesses." (*Cavendish hands Benedict the instrument. The inventor looks it hurriedly through, and then pauses at the signatures. After examining them long with naked eyes, he draws a glass from his pocket, and scrutinizes them with a curious, absorbed look, forgetful, apparently, where he is.*)

CAVENDISH. "Is the witness going to sleep?"

BALFOUR. "Take all the time you want." (*At last Mr. Benedict looks up, his face full of pain.*)

BENEDICT. "I do not know what to say to this."

CAVENDISH. "Oh, you do n't! I thought you would n't! still we would like to know your opinion of the instrument."

BENEDICT. "I do n't think you would like to know it, sir."

CAVENDISH. "What does the witness insinuate? No insinuations, sir!"

JUDGE. (*Quietly.*) "Insinuations are apt to breed insinuations. The witness has manifested no disinclination to answer your direct questions."

CAVENDISH. "Very well. Is your signature at the foot of that assignment?"

BENEDICT. "It is not, sir."

CAVENDISH. (*With a sneer.*) "Perhaps those are not the signatures of the witnesses."

BALFOUR. (*With an excited voice.*) "Two of them, I

have no doubt, are forgeries." (*Cavendish laughs, sits down by Mr. Belcher, and they whisper a moment then both laugh together.*)

CAVENDISH. "That's all." (*Nodding to the witness.*)

BALFOUR. "May it please the Court, we got along so well with the question of identity that, with the leave of the defendant's counsel, I propose, in order to save the time of the Court, that we push our inquiries directly into the validity of this assignment. This is the essential question, and the defendant has only to establish the validity of the instrument to bring the case to an end at once. This done, the suit will be abandoned."

CAVENDISH. "Certainly. I agree to the scheme with the single provision on behalf of the defendant, that he shall not be debarred from his pleading of denial of profits, in any event."

BALFOUR. "Agreed."

CAVENDISH. "Very well. I shall call Cornelius Phipps, the only surviving witness of the assignment." (*But Phipps does not appear, and a second call produces the same result. Nowhere in the house, and cannot be found, having mysteriously disappeared. After a short consultation with his client, Mr. Cavendish arises.*)

CAVENDISH. "May it please the Court, the defendant in this case finds himself in a very embarrassing position. It was known yesterday that Cornelius Phipps, his only surviving witness of the assignment, was here; but he has mysteriously disappeared. Why and how he disappeared, I cannot tell. All due diligence has been exercised to discover him, but without success. I make no charges of foul play. Knowing him as I do, and his faithfulness to my client, I cannot avoid the suspicion that he is by some means, and against his will, detained from appearing here. There are now but two men in court who saw the paper executed, namely, the plaintiff and the defendant. The former has declared, with great effrontery, that he never signed the document. I do not expect that in a struggle like this, the testimony of my client will be accepted, and I will not ask it." (*He looks appealingly at the Judge.*)

BALFOUR. "I appreciate the embarrassment of the defense, and am quite willing to do all I can to relieve it. His insinuations of foul dealing toward the witness, Phipps, are absurd, of course, and to save further trouble, I am willing to receive as a witness, in place of Phipps, Mr. Belcher himself, and to pledge myself to abide by what he establishes.

I can do no more than this, I am sure, and I now challenge him to take the stand."

JUDGE. (*After watching the defendant and his counsel a few moments.*) "It seems to the Court that the defense cannot reasonably ask for anything more."

(*Belcher hesitates, but takes the stand.*)

CAVENDISH. "Please relate what you know of the assignment of the patents here in question."

BELCHER. "Some time previous to the date of the assignment of the patents, Mr. Benedict visited me at my mills in Seven Oaks, and introduced to my notice his inventions, expressing his belief that they would be great improvements to my machinery. I permitted him to make the necessary alterations, and I paid all expenses, and from time to time paid him money for which I received scarcely any benefit. I at last, as a consideration for these expenses, requested of him an assignment of all his patents. This he reluctantly agreed to do, and on the 4th of May, 1860, the assignment was executed in my library at Seven Oaks, and signed by Paul Benedict, as principal, and Nicholas Johnson, James Ramsey, and Cornelius Phipps as witnesses.

CAVENDISH. And you solemnly swear that the signatures to this assignment are all genuine, and written in your presence?"

BELCHER. "I do, sir."

CAVENDISH. "That is all."

BALFOUR. "Well, Mr. Belcher, you have told us a very straight story, but there are a few little matters which I would like to have explained. Why, for instance, was your assignment placed on record only a few months ago?"

BELCHER. "Because I was not a lawyer, sir, and was not aware that it was necessary, until so informed by Mr. Cavendish."

BALFOUR. "Was Mr. Benedict's insanity considered hopeless from the first?"

BELCHER. "No; we were quite hopeful that we should bring him out of it."

BALFOUR. "He had lucid intervals, then?"

BELCHER. "Yes, sir."

BALFOUR. "Was that the reason why, the next day after the alleged assignment, you wrote him a letter, urging him to make the assignment, and offering him a royalty for the use of his patents?"

BELCHER. "I never wrote any such letter, sir. I never sent him any such letter, sir."

BALFOUR. "You sent him to the asylum, did you?"

BELCHER. "I co-operated with others, sir, and paid the bills."

BALFOUR. "Did you ever visit the asylum when he was there?"

BELCHER. "I did, sir."

BALFOUR. "Did you apply to the superintendent for liberty to secure his signature to a paper?"

BELCHER. I do not remember that I did. It would have been an unnatural thing for me to do. If I did, it was a paper on a subordinate affair. It was some years ago, and the details of the visit did not impress themselves upon my memory."

BALFOUR. "How did you obtain the letters of Nicholas Johnson and James Ramsey? I ask this, because they are not addressed to you."

BELCHER. "I procured them of Sam Yates, in anticipation of the trial now in progress here. The witnesses were dead, and I thought they would help me in establishing the genuineness of their signatures."

BALFOUR. "What reason had you to anticipate this trial?"

BELCHER. "Well, sir, I am accustomed to providing for all contingencies. This is the way I was made, sir. It seemed to me quite probable that Benedict, if living, would forget what he had done before his insanity, and that if he were dead, some friend of his boy would engage in a suit in his behalf. I procured the autographs after I saw his boy in your hands, sir."

BALFOUR. "So you had not seen these particular signatures at the time when the alleged assignment was made?"

BELCHER. "No, sir, I had not seen them."

BALFOUR. "And you simply procured them to use as a defense in a suit which seemed probable, or possible, and which now, indeed, is in progress of trial?"

BELCHER. "That is about as clear a statement of the fact as I can make, sir."

BALFOUR. "I suppose, Mr. Belcher, that it seems very strange to you that the plaintiff should have forgotten his signature."

BELCHER. "Not at all, sir. On the contrary, I regard it as the most natural thing in the world. I should suppose that a man who had lost his mind once would naturally lose his memory of many things."

BALFOUR. "That certainly seems reasonable, but how is

it that he does not recognize it, even if he does not remember the writing of it ? ”

BELCHER. “ I do n't know ; a man's signature changes with changing habits, I suppose. ”

BALFOUR. “ You don't suppose that any genuine signature of yours could pass under your eye undetected, do you ? ”

BELCHER. “ No, sir, I do n't. I'll be frank with you. ”

BALFOUR. “ Well, now I'm going to test you. Perhaps other men, who have always been sane, do sometimes forget their own signatures. ” (*Mr. Balfour withdraws from his papers a note. Mr. Belcher sees it in the distance, and thinks it is the note he had written to Mr. Balfour before the beginning of the suit. Balfour folds the letter so that the signature would show independent of the body of the letter, and then he steps to the witness, holding the letter in his hand.*) Will you please say whether that is a genuine signature or a forgery ? ”

BELCHER. “ That's my sign manual, sir. ”

BALFOUR. “ You are sure ! ”

BELCHER. “ I know it, sir. ”

BALFOUR. “ Very well. (*Handing the letter to the clerk to be marked.*) You are right, I have no doubt, and I believe this is all I want of you for the present. And now, may it please the Court, I have some testimony to present in rebuttal of that of the defendant. I propose, practically, to finish up this case with it, and to show that the story to which you have listened is false in every particular. First, I wish to present the testimony of Dr. Charles Barhydt. ”

(*Dr. Barhydt, a very pompous man, and wearing gold spectacles, advances to the witness stand.*)

BALFOUR. “ What is your name ? ”

DR. B. “ Charles Barhydt. ”

B. “ What is your profession ? ”

DR. B. “ I am a physician. ”

B. “ You have an official position, I believe ? ”

DR. B. “ Yes, sir ; I have for fifteen years been the Superintendent of the State Asylum for the Insane. ”

B. “ Do you recognize the plaintiff in this case as a former patient in the asylum ? ”

DR. B. “ I do, sir. ”

B. “ Was he ever visited by the defendant while in your care ? ”

DR. B. “ He was, sir. ”

B. “ Did the defendant endeavor to procure his signature to any document while he was in the asylum ? ”

DR. B. "He did, sir."

B. "Did he apply to you for permission to get his signature, and did he importunately urge you to give him this permission?"

DR. B. "He did, sir."

B. "Did you read this document?"

DR. B. "I did, sir."

B. "Do you remember what it was?"

DR. B. "Perfectly, in a general way. It was an assignment of a number of patent rights and sundry machines, implements, and processes."

B. (*Handing the witness the assignment.*) "Be kind enough to look that through, and tell us whether you ever saw it before."

DR. B. (*After reading the document through.*) "This is the identical paper which Mr. Belcher showed me, or a very close copy of it. Several of the patents named here I remember distinctly; for I read the paper carefully, with a professional purpose. I was curious to know what had been the mental habits of my patient."

B. "But you did not give the defendant liberty to procure the signature of the patentee?"

DR. B. "I did not. I refused to do so on the ground that he was not of sound mind—that he was not a responsible person."

B. "When was this?"

DR. B. "I have no record of the date, but it was after the 12th of May, 1860—the date of Mr. Benedict's admission to the asylum."

BALFOUR. "That is all."

CAVENDISH. "Are you sure that Mr. Belcher asked permission to have Benedict put his signature to the assignment?"

DR. B. "As sure as I am that this insinuation is in bad taste, which is as sure as can be."

CAVENDISH. "That is all."

BALFOUR. "Samuel Yates will please take the stand. (*Samuel Yates comes forward.*) Mr. Yates you are a member of our profession I believe."

YATES. "I am sir."

BALFOUR. "Have you ever been in the service of the defendant in this case?"

YATES. "Yes, sir."

BALFOUR. "What have you done for him?"

YATES. "I worked many months in the endeavor to ascertain whether Paul Benedict was living or dead."

BALFOUR. "It isn't essential that we should go into that. As the defendant has testified that he procured the autograph letters which are in the possession of the Court from you, I presume you will corroborate his testimony."

YATES. "He did procure them of me, sir."

BALFOUR. "Did he inform you of the purpose to which he wished to put them?"

YATES. "He did, sir. He said that he wished to verify some signatures."

BALFOUR. "Were you ever employed in his library at Seven Oaks, by his agent?"

YATES. "Yes, sir, I wrote there for several weeks."

BALFOUR. "May it please the Court, I have a letter in my hand, the genuineness of whose signature has been recognized by the defendant, written by Robert Belcher to Paul Benedict, which, as it has a direct bearing upon the case, I beg the privilege of placing in evidence. It was written the next day after the alleged assignment, and came inclosed from Benedict's hands to mine." (*Mr. Belcher evidently recalls the letter, for he sits limp in his chair like a man stunned.*)

CAVENDISH. "I object to the letter referred to being admitted as evidence in this case, on the ground that it is irrelevant."

BALFOUR. "I insist that the letter has a direct bearing in this case for two reasons: One is, that being dated the day after the date of the alleged assignment, the writer had no idea of any assignment having been made. The other reason is, that the admission of the letter renders it possible to impeach the defendant, as he has acknowledged his signature to the letter, and yet denies that he ever wrote the letter."

JUDGE. (*After an examination of the letter.*) "I can see no reason why the letter should not be admitted as evidence. It may be read to the jury." (*Balfour reads it.*)

"SEVEN OAKS, May 5, 1860.

"DEAR BENEDICT,—I am glad to know that you are better. Since you distrust my pledge that I will give you a reasonable share of the profits on the use of your patents, I will go to your house this afternoon, with witnesses, and have an independent paper prepared, to be signed by myself after the assignment is executed, which will give you a

definite claim upon me for royalty. We will be there at four o'clock.

"Yours,

"ROBERT BELCHER."

BALFOUR. "Mr. Yates, have you ever seen this letter before?" (*Yates takes the letter and looks it over.*)

YATES. "I have, sir. I found it in a drawer of the library table, in Mr. Belcher's house at Seven Oaks. I delivered it unopened to the man to whom it was addressed, leaving him to decide the question as to whether it belonged to him or the writer. I had no idea of its contents at the time, but became acquainted with them afterwards, for I was present at the opening of the letter."

BALFOUR. "That is all."

CAVENDISH. "So you stole this letter, did you?"

YATES. "I found it while in Mr. Belcher's service, and took it personally to the man to whom it was addressed, as he apparently had the best right to it. I am quite willing to return it to the writer, if it is decided that it belongs to him. I had no selfish end to serve in the affair." (*Here the Judge interposes.*)

JUDGE. "The Court finds this letter in the hands of the plaintiff, delivered by a man who at the time was in the employ of the defendant, and had the contents of the room in his keeping. The paper has a direct bearing in the case, and the Court will not go back of the facts stated."

BALFOUR. "There is a little preliminary work to be done before I present another witness. I would ask the Court to take a short recess. I wish to take photographic copies of the signatures of the two autograph letters, and of the four signatures of the assignment."

JUDGE. "The Court accedes to the request of the counsel, and will grant a short recess, to permit the preparations for the experiment he proposes to make." (*Here Mr. Cavendish approaches Mr. Balfour.*)

CAVENDISH. "I would like a private interview with you."

BALFOUR. "Certainly." (*They retire to a lobby.*)

SCENE II. *The lobby.*

CAVENDISH. "You are not to take any advantage of this conversation. I wish to talk in confidence."

BALFOUR. "Very well."

CAVENDISH. "My client is in a devilish bad box. His

principal witness has run away, his old friends all turn against him, and circumstantial evidence doesn't befriend him. I have advised him to stop this suit right here, and make a compromise. No one wants to kill the General. He's a sharp man, but he is good-natured, and a useful citizen. He can handle these patents better than Benedict can, and make money enough for both of them. What could Benedict do if he had the patents in his hands? He's a simpleton. He's a nobody. Any man capable of carrying on his business would cheat him out of his eye-teeth."

BALFOUR. "I am carrying on his business myself, just at this time." (*Said seriously.*)

CAVENDISH. "That's all right, of course; but you know that you and I can settle this business better for these men than they can settle it for themselves."

BALFOUR. "I'll be frank with you. I'm not one who regards Robert Belcher as a good-natured man and a useful citizen, and I, for one—to use your own phrase—want to kill him. He has preyed upon the public for ten years, and I owe a duty not only to my client, but to society. I understand how good a bargain I could make with him at this point, but I will not bargain with him. He is an unmitigated scoundrel, and he will go out of this Court to be arrested for crime; and I do not expect to drop him until I drop him into a penitentiary, where he can reflect upon his forgeries at leisure."

CAVENDISH. "Then you refuse any sort of a compromise."

BALFOUR. "My dear sir, do you suppose I can give a man a right to talk terms who is in my hands? Do you suppose I can compromise with crime? You know I can't."

CAVENDISH. "Very well—let it go. I suppose I must go through with it. You understand that this conversation is confidential."

BALFOUR. "I do; and you?"

CAVENDISH. "Oh, certainly!"

SCENE III. *The court room again. Mr. Belcher appears very despondent, and gives a helpless, hopeless sigh.*

BALFOUR. "Prof. Albert Timms will please take the witness stand. (*Prof. Timms appears.*) What is your name, witness?"

PROF. TIMMS. "Albert Timms, at your service."

BALFOUR. "What is your calling, sir?"

PROF. TIMMS. "I have at present the charge of a department in the School of Mines. My specialties are chemistry and microscopy."

BALFOUR. "You are specially acquainted with these branches of natural science, then."

PROF. TIMMS. "I am, sir."

BALFOUR. "Have you been regarded as an expert in the detection of forgery?"

PROF. TIMMS. "I have been called such in many cases of the kind, sir."

BALFOUR. "Then you have had a good deal of experience in such things, and the various tests by which such matters are determined?"

PROF. TIMMS. "I have, sir."

BALFOUR. "Have you examined the assignment and the autograph letters which have been in your hands during the recess of the court?"

PROF. TIMMS. "I have, sir."

BALFOUR. "Do you know either the plaintiff or the defendant in this case?"

PROF. TIMMS. "I do not, sir. I never saw either of them until to-day."

BALFOUR. "Has any one told you about the nature of these papers, so as to prejudice your mind in regard to any of them?"

PROF. TIMMS. "No, sir. I have not exchanged a word with any one in regard to them."

BALFOUR. "What is your opinion of the two letters?"

PROF. TIMMS. "That they are veritable autographs."

BALFOUR. "How do you judge this?"

PROF. TIMMS. "From the harmony of the signatures with the text of the body of the letters, by the free and natural shaping and interflowing of the lines, and by a general impression of truthfulness which it is very difficult to communicate in words."

BALFOUR. "What do you think of the signatures to the assignment?"

PROF. TIMMS. "I think they are counterfeits but one."

BALFOUR. "Prof. Timms, this is a serious matter. You should be very sure of the truth of a statement like this. You say you think they are counterfeits. Why?"

PROF. TIMMS. "If the papers can be handed to me, I will show what leads me to think so. (*The papers are handed to him, and placing the letters on the bar on which he has been leaning, he draws from his pocket a little rule, and*

lays it lengthwise along the signature of Nicholas Johnson. Having recorded the measurement, he next takes the corresponding name in the assignment.) I find the name of Nicholas Johnson of exactly the same length on the assignment that it occupies on the letter."

BALFOUR. "Is that a suspicious circumstance?"

PROF. TIMMS. "It is; and, moreover there is not the slightest variation between the two signatures in the length of a letter. Indeed, to the naked eye, one signature is an exact counterpart of the other in every characteristic."

BALFOUR. "How do you determine, then, that it is anything but a genuine signature?"

PROF. TIMMS. "The imitation is too nearly perfect."

BALFOUR. "How can that be?"

PROF. TIMMS. "Well, no man writes his signature twice alike. There is not one chance in a million that he will do so, without definitely attempting to do so, and then he will be obliged to use certain appliances to guide him."

BALFOUR. "Now will you apply the same test to the other signature?" (*Prof. Timms applies the same tests to the signatures of James Ramsey.*)

PROF. TIMMS. "I find the second name as close a counterfeit as the first."

BALFOUR. "Both names of the assignment, then, are exact fac-similes of the names on the autograph letters?"

PROF. TIMMS. "They are, indeed, sir, quite wonderful reproductions."

BALFOUR. "The work must have been done, then, by a very skillful man."

PROF. TIMMS. (*Shaking his head pitifully.*) "Oh, no, sir. None but bunglers ever undertake a job like this. Here, sir, are two forged signatures. If one genuine signature, standing alone, has one chance in a million of being exactly like any previous signature of the writer, two standing together have not one chance in ten millions of being exact fac-similes of two others brought together by chance."

BALFOUR. "How were these fac-similes produced?"

PROF. TIMMS. "They could only have been produced by tracing first with a pencil, directly over the signature to be counterfeited."

BALFOUR. "Well, this seems very reasonable, but have you any further tests?"

PROF. TIMMS. "Under this magnifying glass I see a marked difference between the signatures on the two papers, which is not apparent to the naked eye. The letters

of the genuine autograph have smooth, unhesitating lines ; those of the counterfeits present certain minute irregularities that are inseparable from painstaking and slow execution. I have an experiment that will convince the Court and the jury that I am right."

BALFOUR. "Can you perform this experiment here, and now?"

PROF. TIMMS. "I can, sir, provided the Court will permit me to establish the necessary conditions. I must darken the room and make some slight arrangements on the stage, which will be very quickly done."

BALFOUR. "Will you describe the nature of your experiment?"

PROF. TIMMS. "Well, sir, I have had all the signatures photographed upon glass. These, by the aid of a solar microscope, will appear immensely enlarged, so that the peculiarities I have described may be detected by every eye in the house, with others that I have not alluded to."

JUDGE. "The experiment will be permitted, and the officers and janitors will give the Professor all the assistance he needs." (*Gradually the room grows dark, and a strange silence and awe descend upon the crowd. A witness from a hundred millions of miles away is to speak, and he never lies.*)

PROF. TIMMS. "May it please the Court, I am ready for the experiment."

JUDGE. "The witness will proceed."

PROF. TIMMS. "There will soon appear upon the wall, above the heads of the Court and jury, the genuine signature of Nicholas Johnson, as it has been photographed from the autograph letter (*As he speaks the last word, the name sweeps through the darkness, and appears upon the wall.*) I wish the Judge and jury to notice two things in this signature—the cleanly-cut edges of the letters, and the two lines of indentation produced by the two prongs of the pen, in its down-stroke. They will also notice in the up-stroke of the pen, there is no evidence of indentation whatever. (*All eyes see it. There is not a whisper in the room. When a long minute has passed, the light is shut off.*) Now I will show you in the same place, the name of Nicholas Johnson, as it has been photographed from the signature to the assignment. What I wish you to notice particularly in this signature is, first, the rough and irregular edges of the lines which constitute the letters. They will be so much magnified as to present very much the appearance of a Virginia fence. Another peculiarity which will probably be shown in the ex-

periment is, that the lines of indentation made by the two prongs of the pen will be evident, as in the real signature, but there will probably also appear a third line, made by the pencil which originally traced the letters, and this line will not only accompany, in an irregular way, crossing from side to side, the two indentations of the down-strokes of the pen, but it will accompany irregularly the hair-lines." (*He pauses, and then the forged signatures appear upon the wall. There are the ragged, jagged edges of the letters; there is the supplementary line, traceable in every part of them.*)

BALFOUR. "You have not shown us the other signatures"

PROF. TIMMS. "False in one thing, false in all. I can show you the others, but they would be like this; you would throw away your time." (*Mr. Cavendish will not look at the witness, but pretends to write.*)

BALFOUR. "Does the counsel for the defense wish to question the witness?"

CAVENDISH. (*Very sharply.*) "No."

BALFOUR. "You can step down." (*As the witness passes him, he quietly grasps his hand and thanks him.*)

CAVENDISH. "May it please the Court, it is impossible, of course, for counsel to know what impression this testimony has made upon the Court and jury. Dr. Barhydt after a lapse of years, and dealings with thousands of patients, comes here and testifies to an occurrence which my client's testimony makes impossible; a sneak discovers a letter which may have been written on the third or the fifth of May, 1860,—it is very easy to make a mistake in the figure,—and this stolen letter, never legitimately delivered—possibly never intended to be delivered under any circumstances—is produced here in evidence; and, to crown all, we have had the spectacular drama, in a single act, by a man who has appealed to the imagination of us all, and who, by his skill in the management of an experiment with which none of us are familiar, has found it easy to make a falsehood appear like the truth. The counsel for the plaintiff has been pleased to consider the establishment, or the breaking down, of the assignment as the practical question at issue. I cannot so regard it. The question is, whether my client is to be deprived of the fruits of long years of enterprise, economy, and industry; for it is to be remembered that, by the plaintiff's own showing, the defendant was a rich man when he first knew him. I deny the profits from the use of the plaintiff's patented inventions, and call upon

him to prove them. I not only call upon him to prove them, but I defy him to prove them. It will take something more than superannuated doctors, stolen letters, and the performances of a mountebank to do this." (*During this speech, Mr. Balfour is writing, and when Cavendish sits down he rises, and addresses the Court.*)

BALFOUR. "If the Court please, I hold in my hand a written notice, calling upon the defendant's counsel to produce in court a little book in the possession of his client, entitled 'Records of Profits and Investments of Profits from Manufactures under the Benedict Patents,' and I hereby serve it upon him." (*He hands the notice to Mr. Cavendish, who receives and reads it.*)

CAVENDISH. (*After consulting his client.*) "May it please the Court, there is no such book in existence."

BALFOUR. "I happen to know that there is such a book in existence, unless it has recently been destroyed. This I stand ready to prove by the testimony of Helen Dillingham."

JUDGE. "The witness can be called." (*Mrs. Dillingham takes the stand.*)

BALFOUR. "Mrs. Dillingham, have you been on friendly terms with the defendant in this case?"

MRS. D. "I have, sir. He has been a frequent visitor at my house, and I have visited his family at his own."

B. "Was he aware that the plaintiff is your brother?"

MRS. D. "He was not."

B. "Has he, from the first, made a confidant of you?"

MRS. D. "In some things—yes."

B. "Do you know Harry Benedict, the plaintiff's son?"

MRS. D. "I do, sir."

B. "How long have you known him?"

MRS. D. "I made his acquaintance soon after he came to reside with you, sir, in this city."

B. "Did you seek his acquaintance?"

MRS. D. "I did, sir."

B. "From what motive?"

MRS. D. "Mr. Belcher wished me to do it, in order to ascertain of him whether his father was living or dead."

B. "You did not then know that the lad was your nephew?"

MRS. D. "I did not, sir."

B. "Have you ever told Mr. Belcher that your brother was alive?"

MRS. D. "I told him that Paul Benedict was alive, at the last interview but one that I ever had with him."

B. "Did he, at this interview, give you any great anxiety to ascertain the facts as to Mr. Benedict's life or death?"

MRS. D. "He did, sir."

B. "Was there any special occasion for the visit you allude to?"

MRS. D. "I think there was, sir. He had just lost heavily in the International Mail, and evidently came to talk about business. At any rate, he did talk about it as he had never done before."

B. "Can you give us the drift or substance of his conversation and statements?"

MRS. D. "Well, sir, he assured me that he had not been shaken by his losses. Said that he kept his manufacturing business entirely separate from his speculations; gave me a history of the manner in which my brother's inventions had come into his hands, and, finally, showed me a little account-book, in which he had recorded his profits from manufactures under what he called the 'Benedict Patents.'"

B. "Did you read this book, Mrs. Dillingham?"

MRS. D. "I did, sir."

B. "Every word?"

MRS. D. "Every word."

B. "Did you hear me serve a notice on the defendant's counsel to produce this book in court?"

MRS. D. "I did, sir."

B. "In that notice did I give the title of the book correctly?"

MRS. D. "You did, sir."

B. "Was this book left in your hands for a considerable length of time?"

MRS. D. "It was, sir, for several hours."

B. "Did you copy it?"

MRS. D. "I did, sir, every word of it."

B. "Are you sure that you made a correct copy?"

MRS. D. "I verified it, item by item, again and again."

B. "Can you give me any proof corroborative of your statement that this book has been in your hands?"

MRS. D. "I can, sir."

B. "What is it?"

MRS. D. "A letter from Mr. Belcher, asking me to deliver the book to his man Phipps."

B. "Is that the letter?" (*Handing her the letter.*)

MRS. D. "It is, sir."

B. (*Turning to the Judge.*) "May it please the Court, the copy of this account-book is in my possession, and if the defendant persists in refusing to produce the original, I shall ask the privilege of placing it in evidence." (*The Judge looks at Mr. Cavendish who is talking angrily to his client. After waiting for a minute or two, he speaks.*)

JUDGE. "Unless the original of this book be produced, the Court will be obliged to admit the copy. It was made by one who had it in custody from the owner's hands."

CAVENDISH. (*Fiercely.*) "I was not aware that a crushing conspiracy like this against my client could be carried on in any court in the United States under judicial sanction."

JUDGE. "The counsel must permit the Court to remind him that it is so far generous toward his disappointment and discourtesy as to refrain from punishing him for contempt, and to warn him against any repetition of his offense." (*Cavendish sneers but holds his tongue.*)

BALFOUR. "That is all, Mrs. Dillingham. (*Cavendish goes over to Balfour and they hold a conversation sotto voce. Then Mr. Balfour addresses the Court.*) It is agreed between the counsel for the defense and myself, in order to save the time of the Court, that the case shall be given to the jury by the Judge, without presentation or argument of counsel."

JUDGE. "Gentlemen of the jury, I will briefly recapitulate the origin of this suit and its defense. The claim is for half a million of dollars for the infringement of patents on machines. The answer to the complaint is in the following pleadings:—

"1. That the plaintiff is an imposter.

"2. The assignment of the patents to the defendant.

"3. A denial by the defendant of any profits from their use.

"An establishment of any one of these pleadings would debar the plaintiff from recovering. Otherwise you must find for him in the full amount of profits shown in the copy of the book of net proceeds, which book has been sworn to by Mrs. Dillingham." (*The jury do not leave their seats. In a few moments the Foreman announces a verdict for the plaintiff for the full amount claimed—\$500,000—half a million.*)

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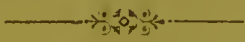




NUMBER NINE.



A DRAMA IN NINE ACTS.



DRAMATIZED BY

S. R. WHEELER.

*WITH CASTS, COSTUMES, AND ALL STAGE
BUSINESS.*

PUBLISHED BY
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